

MEDICARE USER FEES: DOES OTTAWA'S NO MEAN NO?

CANADA'S WEEKLY NEWSMAGAZINE

AU

# Maclean's

The CBC  
Struggles To  
Survive In A  
200-Channel  
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## Prime Time Wars

*Prime Time News*  
Co-anchors Peter Mansbridge  
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# LETTERS

## Sound and fury

In response to your article "A Fervid Table," regarding Chiquagot Sound (Cover, Aug. 19), it's no wonder that God Richard reacted out of the Garden of Eden. God knows at once how we would view that beautiful place, with the shortightedness of exploitation.

Deliver, Rochon,  
Toronto

Your article mentioned that "Canadian officials deny that the Chiquagot story has dented the European consciousness." My family and friends in Denmark know exactly how negligent Canadians are in the environment. It's in their news, it's the talk of their neighborhoods. They also do not understand our disregard for native people and their efforts to preserve our forests. These Canadian officials and other Canadians should stop feeling themselves. The world is and will be watching well into the 21st century. So far they aren't impressed.

Lili McLean,  
Calgary

I am sure all residents of British Columbia regret that it cannot be the world's Canada. Unfortunately, for most of us who live and work in this province, the forest industry would still continue to be the primary employer and source of foreign exchange. It is about time that environmental opportunities and numbers accept this reality and get on with them.

Douglas J. Abrams,  
North Vancouver, B.C.

## Mormon mixup

The 8.5 million members of the Church of Jesus Christ of Latter-day Saints would be surprised at the headline "The practice of polygamy" on your story about a B.C. poly-



Protest of Chiquagot: Guardians of Eden

amous group, identifying it as a "Mormon colony" (Canada, Aug. 19). The story correctly reports that the group is part of a fundamentalist sect that "broke" with the Mormon church over the latter's decision to abandon the practice of polygamy. Since polygamy was abandoned in 1890, any Mormon practicing it has been previously excommunicated. Whatever else the B.C. polygamous colony may be, it certainly isn't Mormon.

William B. Smart,  
Public Affairs Officer, The Church of Jesus  
Christ of Latter-day Saints,  
Vancouver, B.C.

You state in your article that officials in British Columbia decided not to lay charges against the polygamists in Creston because Canada's anti-polygamy law has been superseded by freedom-of-religion guarantees in the Charter of Rights. Does this mean that if a group of people decides to revive the old levi religion, which included human sacrifice, that they could get away with it because the Charter of Rights protects their religious freedom? Perhaps the Charter needs to be re-examined and reworded. In its present context, it has caused more problems in Canada than it could ever hope to solve.

Nolan Kewlock,  
Tillamook, Ore.

## Cheating hearts

What? White-collar workers don't cheat? At least this is the impression from a quick glance at your cover of a male construction worker, and the photographs inside ("Cheaters," Cover, Aug. 19). Why not be a little more democratic when deciding on a cover? Is it because you don't want to offend your "perceived" readership?

C.A. Cassens,  
Winnipeg

When our political leaders demonstrate their sincerity and their seriousness in the public by spending our tax money wisely, judiciously and equitably, the public will then stop the indirect tax revolt and give serious support to solving the nation's fiscal problems. But as long as pork barrels, lobby groups and misplaced priorities dictate government spending at all levels, the taxpayer public will take its example from its leaders by acting in its own priorities and looking after its own interests.

Albert Dine,  
Toronto

Cheaters? No. Victims, struggling to survive the massive taxes imposed by criminals in Ottawa.

Peter Vinnema,  
Calgary, Ont.

## Laying blame

The issue of responsibility for blood products for hemophiliacs will be argued for years to come ("Innocent victims," Canada, Aug. 2). My brother, a hemophiliac, paid the ultimate price. As a result of an infection in 1984, he was diagnosed HIV-positive in December, 1984. At the age of 44, Sept. 1, 1989, he died. His death was so unnecessary and could have been avoided except for bureaucratic bungling.

Richard Drury,  
Hamilton

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Price Chopper, and Shell.

Category	Item	Quantity	Unit Price	Total Price
Category 1	Item 1	100	1.00	100.00
Category 2	Item 2	200	2.00	400.00
Category 3	Item 3	300	3.00	900.00
Category 4	Item 4	400	4.00	1600.00
Category 5	Item 5	500	5.00	2500.00
Category 6	Item 6	600	6.00	3600.00
Category 7	Item 7	700	7.00	4900.00
Category 8	Item 8	800	8.00	6400.00
Category 9	Item 9	900	9.00	8100.00
Category 10	Item 10	1000	10.00	10000.00
Category 11	Item 11	1100	11.00	12100.00
Category 12	Item 12	1200	12.00	14400.00
Category 13	Item 13	1300	13.00	16900.00
Category 14	Item 14	1400	14.00	19600.00
Category 15	Item 15	1500	15.00	22500.00
Category 16	Item 16	1600	16.00	25600.00
Category 17	Item 17	1700	17.00	28900.00
Category 18	Item 18	1800	18.00	32400.00
Category 19	Item 19	1900	19.00	36100.00
Category 20	Item 20	2000	20.00	40000.00
Category 21	Item 21	2100	21.00	44100.00
Category 22	Item 22	2200	22.00	48400.00
Category 23	Item 23	2300	23.00	52900.00
Category 24	Item 24	2400	24.00	57600.00
Category 25	Item 25	2500	25.00	62500.00
Category 26	Item 26	2600	26.00	67600.00
Category 27	Item 27	2700	27.00	72900.00
Category 28	Item 28	2800	28.00	78400.00
Category 29	Item 29	2900	29.00	84100.00
Category 30	Item 30	3000	30.00	90000.00
Category 31	Item 31	3100	31.00	96100.00
Category 32	Item 32	3200	32.00	102400.00
Category 33	Item 33	3300	33.00	108900.00
Category 34	Item 34	3400	34.00	115600.00
Category 35	Item 35	3500	35.00	122500.00
Category 36	Item 36	3600	36.00	129600.00
Category 37	Item 37	3700	37.00	136900.00
Category 38	Item 38	3800	38.00	144400.00
Category 39	Item 39	3900	39.00	152100.00
Category 40	Item 40	4000	40.00	160000.00
Category 41	Item 41	4100	41.00	168100.00
Category 42	Item 42	4200	42.00	176400.00
Category 43	Item 43	4300	43.00	184900.00
Category 44	Item 44	4400	44.00	193600.00
Category 45	Item 45	4500	45.00	202500.00
Category 46	Item 46	4600	46.00	211600.00
Category 47	Item 47	4700	47.00	220900.00
Category 48	Item 48	4800	48.00	230400.00
Category 49	Item 49	4900	49.00	240100.00
Category 50	Item 50	5000	50.00	250000.00
Category 51	Item 51	5100	51.00	260100.00
Category 52	Item 52	5200	52.00	270400.00
Category 53	Item 53	5300	53.00	280900.00
Category 54	Item 54	5400	54.00	291600.00
Category 55	Item 55	5500	55.00	302500.00
Category 56	Item 56	5600	56.00	313600.00
Category 57	Item 57	5700	57.00	324900.00
Category 58	Item 58	5800	58.00	336400.00
Category 59	Item 59	5900	59.00	348100.00
Category 60	Item 60	6000	60.00	360000.00
Category 61	Item 61	6100	61.00	372100.00
Category 62	Item 62	6200	62.00	384400.00
Category 63	Item 63	6300	63.00	396900.00
Category 64	Item 64	6400	64.00	409600.00
Category 65	Item 65	6500	65.00	422500.00
Category 66	Item 66			



# A mission statement to revive Canada

lugged with erosion. Meanwhile, inflation, labor and other laws prevent an increasing the competition by dropping average rates or other costs. On top of all of this, the nation's leadership is mediocre.

The future does not have to be bleak, but we will only succeed if we reward entrepreneurs, not special interest groups, lobbyists or politicians who buy our votes. Otherwise, Canada will go the way of the Cure.





A gay pride parade in Montreal. These groups are not going to be thanked for their interventions.

## The third-party syndrome

As an election looms, special-interest groups face new scrutiny

**L**ike several other advocacy groups, the National Action Committee on the Status of Women (NAC) recently published a voters' guide to the coming federal election. The 12-page booklet urges voters to seek out candidates who, among other things, support the decriminalization of prostitution, the creation of a state-supported universal child care system and the abolition of the 1986 Canada-U.S. Free Trade Agreement—which, the committee charges, "threatens the formation of poverty" throughout the country. It also calls for the elimination of the government's long-standing policies, such as sweeping cuts for reform as salutary to deal with the majority of Canadian voters. "These groups are promoters of their own ideology," says Michael Adams, a Toronto-based policy wonk who is critical of the role played by special-interest groups like the NAC. "They were created out of the idealism of the 1970s, funded by the government activism of the 1970s, sustained by the inertia of the 1980s and are ever more anachronistic."

Anachronistic or not, special-interest groups appear likely to play a much smaller role in this year's election than they did in 1988, when supporters and opponents of free trade spent millions trying to convince Canadians of the wisdom of their position. So far, at least, no such overwrought race has emerged to capture the attention of voters. And with the economy still weak, many Canadians are too busy worrying about the security of their jobs to pay much heed to the demands of advocacy groups for far-reaching social and economic reforms. The middle class is generally feeling beleaguered, overtired, under-served—"see Adams, president of the Toronto-based Economics Research Group Ltd. "They are much less concerned about reforming the national government than about the pocketbook matters that affect their own lives." Adds Thomas D'Amico, president of the Business Council on National Issues: "Because Canadians have gone through some very tough times, they are going to look much

more carefully at what people are saying before casting their ballots."

Despite the challenges, a staggering array of special-interest groups—many of them funded in a large measure by taxpayers—getting up for the election. The National Anti-Poverty Organization (NAPO), based in Ottawa, last representing 110 member groups across Canada, is organizing a staff-beset her conference on social issues in cooperation with the NAC and the Canadian Labour Congress. The NAPO, which received \$250,000 of its \$400,000 annual budget from Ottawa, wants to emphasize its support for the principle of universality, and will urge federal politicians to refrain from transferring responsibility for national social programs to the provinces. The Assembly of Third Nations (ATN), which counts on the federal government for most of its annual \$8-million budget, was also discussing election strategy last week. The 681 chiefs who belong to the ATN intend to press candidates on a number of native issues, including land

claims and the right to self-government. And in addition to publishing its voters' guide, the NAC, which counts on Ottawa for 60 per cent of its annual \$1-million budget, is trying to organize a leaders' debate on women's issues.

As well as the traditional special-interest groups—which cut the quiet from commentators to smear rivals—is to small and large business organizations—some relative newcomers are endeavoring to find their political voices this fall. Denis LeBlanc, president of a gay rights group, Equality for Gays and Lesbians Everywhere, held a news conference in Ottawa last week to urge gay, lesbian and bisexual voters to cast ballots for candidates who support a restraining gay rights in the law. LeBlanc said that there are about two million homosexuals across Canada, adding that they have the potential to influence the outcome in 30 urban ridings. That includes Prime Minister Kim Campbell's riding of Vancouver Centre, which is believed to have the highest concentration of gays and lesbians of any constituency in the country. "We feel we've been ignored long enough," LeBlanc complained.

As with the other big players in political campaigns, money is the lifeblood of most advocacy groups. The dollars that they raise from both private and public sources, are used to purchase media ads promoting their views. Following the 1984 federal campaign, advertising during the 1988 federal campaign, all three major federal parties agreed not to impose a limit on such interventions. After more than 15 months of debate on April 3, the House of Commons passed an amendment to the Canada Elections Act making it an offence for any individual or group—other than a political party—to purchase more than \$1,000 worth of advertising during a campaign. The penalty for violating the act, up to five years in prison.

The legislation was immediately challenged by the Toronto-based National Civil Liberties (NCL), which had spent \$850,000 during the 1988 campaign to promote free trade and attack the NPF. In late June, Alberta Court of Queen's Bench Justice Donald Macleod struck down the amendments as unconstitutional and unconstitutional. While the federal government is appealing that ruling, Canada's chief electoral officer, Joseph-Pierre Kingsley, said last week that special-interest groups will be free to spend as much as they wish in the coming campaign. NAC president David Somerville, unimpressed, told *Maclean's* that, in groups intend to take out ads denouncing "its inappropriateness" what he calls the "new law." Said Somerville, whose group is financed by donations from its 60,000 members: "I think it shows that they have no idea or understanding for some of our fundamental freedoms."

Although Somerville denied the right of special-interest groups to spend as they see fit, his group has urged Ottawa to step money to advocacy groups. Campbell adopted a similar stance, if only briefly, during

the Tory leadership race. To lead applicants from dispirited at the party's convention in June, Campbell declared that "I don't think we should let special-interest groups at all." However, within minutes of her proclamation, and under enormous pressure, Campbell backed off from that position. Would she not let funding for the Assembly of Third Nations? No, she replied, because the ATN provides services to natives in addition to lobbying politicians. What about the

former NAC president, said Macleod's last week that for Liberals to not have a policy on which interest groups should receive funding? NDP MP John Hodgson was similarly vague, although he said that he and his colleagues believe that "public interest groups have something to contribute to the decision-making process." By contrast, Reform party leader Preston Manning advocates the elimination of all government subsidies to special-interest groups—to ensure he insists would save the federal treasury as much as \$400 million annually. "We've got nothing against these groups," Manning says. "We just think they should get their money from the people they purport to represent, rather than the public purse."



Kaplan as his sympathy for reform.

NAC? No, and for similar reasons. Who does any group that she would cut off? None that she was prepared to name. Campbell has not issued the same decree.

Neither of the other two mainstream national parties have shown much enthusiasm for taking on special-interest groups. Charlene Hawke, senior policy adviser to Liberal Leader Jean Chretien, and herself a

former NAC president, said Macleod's last week that for Liberals to not have a policy on which interest groups should receive funding? NDP MP John Hodgson was similarly vague, although he said that he and his colleagues believe that "public interest groups have something to contribute to the decision-making process." By contrast, Reform party leader Preston Manning advocates the elimination of all government subsidies to special-interest groups—to ensure he insists would save the federal treasury as much as \$400 million annually. "We've got nothing against these groups," Manning says. "We just think they should get their money from the people they purport to represent, rather than the public purse."

According to Manning, Canadians themselves are increasingly skeptical about the role of interest groups. He recalls that during the referendum that led to last year's Charter of Rights and Freedoms, a wide array of advocacy groups pleaded their cases before a travelling public hearing committee. "The voice of the average citizen was drowned out," he says. "I think that adds to the skepticism about these groups—especially when some of them were trying to get their demands entrenched in the Constitution." At the same time, Manning, who campaigned on the No side during the referendum, argues that dissent at the Charterization accord gave ordinary Canadians a renewed sense of confidence. "Seeing that the Yes forces—backed mostly by corporations and special-interest groups representing business—spent \$118 million, compared with \$800,000 for the No side, Manning says that "the public learned that you can compete against these guys and beat them."

Others draw different lessons from last fall's referendum. Rosemarie Kaptein, president of the Inuit Tapscott of Canada, was an active participant throughout the constitutional hearings and campaigned on the Yes side during the referendum. She maintains that the record's rejection does not mean that Canadians are any less sympathetic to the concerns of groups such as her own, which represents 36,000 Inuit in Canada and depends on Ottawa for its entire \$400,000 budget. She adds that the referendum gave her group valuable political experience as it prepared its plea for action in the election. "I see how an intimate understanding of how things work."

Adams, however, questions whether Canadians are really in the mood to listen to special-interest groups—even those that advocate the most reasonable of causes. "These groups are not going to be thanked for their interventions," Adams says. "Canadians are going to make up their own minds. They will be looking for third parties that don't have a vested interest." And these days, critics say, such groups are in short supply.

ILAN DEBBIAN with LURE FISHER and GLEN ALLEN in Ottawa

# Mr. Everything

Ralph Klein's deputy plays power politics

Considering the power he wields as a senior member of the Alberta government, Ken Kowalski's title might as well be Mr. Everything. In addition to serving as deputy premier, Kowalski, the 47-year-old Kowalski holds the portfolios of economic development and tourism. He also

summed up Horner's approach to keeping his constituents happy in a well-known quip: "If it moves, give it a lift. If it doesn't move, give it a lift." Horner's and Kowalski's legacy is visible in the town of Barrhead (population 4,360), which boasts well-lit roads, its own modern airport and several gleaming



Kowalski: He makes Macdonald look like a charity boy

provincial government office buildings. Before entering politics, Kowalski enjoyed success as an educator and senior civil servant. He earned a master's degree in east Asian history from the University of Alberta, then worked for five years as a social studies teacher in Barrhead—and in 1973 coached the Larne Jordan High School team to victory in the national finals of the television series *Jeopardy!* For the job, he joined the civil service as a consultant secretary in 1978, rising to the rank of deputy minister by 1979.

Now Kowalski's influence extends well beyond his riding. From 1982 until 1986, he served as chairman of the committee that approved the Alberta Heritage Savings Trust Fund. During that period, he built up a solid

able discipline of political allies while considering requests from fellow MPs for funds to build ball parks, rodeo arenas and book racks in their ridings. In 1986, he assumed control of the Alberta Lottery Fund, which distributes about \$100 million annually to universities, urban and rural exhibition agencies and countless other beneficiaries. According to one senior Tory, lottery revenues represent "a giant slush fund" that allows Kowalski to travel the province saving government cheques and ensuring political credit.

Kowalski's fortunes took a quantum leap last December when Klein succeeded Don Getty as premier. Kowalski had been an early and ardent supporter of the former Calgary mayor—and helped to deliver the rural votes that allowed Klein to defeat his chief rival, Nancy Delaney. Still, relations between Klein and Kowalski have not always been easy. During the campaign, the premier publicly distanced himself from radio ads in which Kowalski accused the opposition parties of financing family ridings because of their support for a whitening gay and lesbian rights bill. Klein, who enjoys a reputation for supporting minority rights, said that he was personally disgusted with his deputy. But since that Kowalski's name appeared so easily deeply conservative voters in rural Alberta, Klein quickly added that Kowalski was free to express his own opinion.

In fact, Kowalski has shown a propensity for controversy. He provoked a public uproar in April when he told listeners of his weekly five-minute commentary on *Weekend* in the station *CISN* that gay pay for women "means that everyone in society will get the same amount of money—it's a communitarian approach." He was back in the headlines the following month when the speaker of the legislature found that Kowalski had violated legislature rules by providing some Tory MPs with details of the provincial budget before its release. Kowalski later apologized to the legislature.

Such tactics do not endear Kowalski to his rivals. "If Klein had his guts to sack Kowalski, he may go on to become a great premier," says Taylor. "But it's doubtful—Kowalski is the guy who put Klein into the premier's job." Indeed, while campaigning for re-election last June, Klein seemed often at odds with an older woman in a Calgary nursing home urged him to dump Kowalski. "I can't get rid of him," replied the premier. "That's up to the people of Barrhead/Weirhead." If Kowalski continues to lavish as much care and attention on his constituents, his popularity at home will likely remain high for years to come.

BRYAN BERGMAN with JOHN MORSE  
in Barrhead

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# THE BATTLE AHEAD

## BILL CLINTON PLOTS STRATEGY TO WIN PUBLIC AND CONGRESSIONAL APPROVAL OF HIS HEALTH-CARE PLAN

The TV screens showed a man at leisure: playing golf at the local country club, strolling along the beach and relaxing in the ocean with his 13-year-old daughter. But the pictures were deceptive. On-screen, enjoying the start of an 11-day vacation late last week in Martha's Vineyard, Mass., Bill Clinton off-camera was plotting strategy for the highly contentious battle of his lifetime: the nation's two-fold health care. The outcome, he has told friends, could determine the success or failure of his presidency. And either way, the congressional agenda will be dominated for the next year by a single issue: the reform of America's aging health-care system, a \$2 trillion-plus industry that includes doctors, hospitals, pharmaceutical companies, hospitals, medical equipment manufacturers, suppliers—and more than 200 million patients.

In addition to his public displays of relaxation at Martha's Vineyard, where he celebrated his 43rd birthday last week, senior staff members left the week before the President is spending late nights and early mornings with his wife, Hillary, devising all the cautious politics of medical insurance. The plan that he promises to unveil in mid-September—he has refused two earlier self-imposed deadlines—is the one that the First Lady has worked on ever since his first months at head of the White House. Task Force on National Health Care. But it is not just his own. As much as any other single factor, it was the promise of affordable health care for all Americans that helped Clinton win the election last year. "Fundamental change has to come now," says Robert Shapiro, vice president of the Washington-based Progressive Policy Institute and a close adviser to the President. "In every advanced country there is no other serious



Detroit emergency room: a critical campaign promise that must be fulfilled

person here to manage without routine [health] care."

The campaign to get his health-care legislation through the fractious Congress began in earnest early last week when Clinton delivered a 45-minute opening salvo to the annual meeting of the National Governors' Association in Tulsa, Okla. For the first time, he addressed the subject he has chosen: "Our plan starts from a simple premise, that all Americans must be guaranteed the security of knowing they will never lose their health coverage even if they switch jobs, lose a job, get sick, move to a new city or start a small business," said Clinton. Without providing details, he added that the new plan would provide universal health coverage, establish a national health-spending budget, outsource the insurance industry and promote significant increases in research technology

The President went on to promise that there would be no one losing health insurance to pay for the scheme.

Instead, White House health-care adviser Joe Maguire later told the government in private meetings that the plan will be paid for on a cooperative basis with the federal government picking up 30 per cent of the risk and most private employers carrying the remaining 70 per cent. Maguire said that it would cost between \$80 billion and \$130 billion annually and added that the employer contribution would amount to a seven-per-cent payroll tax for companies, but there would be federal subsidies to make sure that small companies are not too burdened. (Large U.S. companies that new private health care for their employees generally pay about 5 per cent of payroll for the benefit.)

However, a Republican source who at-

ended a subsequent meeting with Maguire told *Money* that the White House adviser had also hinted that a "sun box" on capricious was "available," while a special health tax on so-called "non-possibles" to help pay for long-term care for the elderly. And Tom Scully, associate director of the Office of Management and Budget in the Bush administration, added: "The fundamental problem is you are going to cover 30 million new people. Currently those people are getting roughly half the health care in the nation."

Since two dozen Republican senators are now working on a health-care package of their own. Under the leadership of Senator John Chafee of Rhode Island, they are preparing to introduce their plan within days of Clinton's proposal. While no details have been released, Chafee's staff says that it will center on health insurance portability co-operations—large groups of people banding together to get cheaper rates—and will require any requirement that employers provide insurance, the main plank of the Clinton plan.

Still, following the partisan budget battle, the Republicans are striving to avoid the impression that they favor gridlock. Senate Minority Leader Robert Dole of Kansas made that clear last week when he insisted that his recently announced meeting with the President on health care is Clinton's plan to change some aspects of the plan to accommodate Republican "pragmatic concerns." Dole also hinted that his support would be influenced by speedy Democratic action on the North American Free Trade Agreement, to which the President has given only lukewarm backing.

While legislators are widely expected to pass some version of health-care reform, even Clinton's closest aides concede that the congressional debate will run well into next year. Even then, Clinton is prepared to allow a new scheme to be gradually introduced to avoid financial disruptions in the companies that must pay for it. At the same time it will be the end of the era of the "big" and likely end a new period of federal health care. Clinton's health plan has his major political "legacy" is fully in place.

Most significantly, the major business lobbies are opposed to the plan. John McInerney, a vice-president at the National Federation of Independent Businesses, says that the 600,000 businesses he represents "find this plan frightening." Adds McInerney: "We can't afford it. You will see companies forced out of business and employees left jobless." It will be the President's health plan to take to Congress that shows this prediction will not come true. In fact, last week Democratic party officials announced the appointment of former Ohio governor Richard Celeste to lead a national campaign to promote the health plan and convince public firms that it will cost less and bring new jobs.

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### ESCALATION IN LEBANON

Frankish-backed Hezbollah guerrillas killed nine Israeli soldiers and wounded three others in two bomb attacks in south Lebanon. Israel retaliated by sending warplanes to bomb guerrilla targets in eastern Lebanon, killing two Hezbollah fighters. It was the most violent exchange since July 31, when Israel ended a retaliatory week-long blitz against south Lebanon that killed 130 people and wounded at least 200.

### JORDAN SUSPECTS CHARGED

North Carolina authorities charged two 28-year-old cars with first-degree murder, armed robbery and conspiracy to commit armed robbery in the July 23 slaying of James Jordan, 56, the father of Chicago Bulls basketball star Michael Jordan. Police said that the elder Jordan was killed by a gunshot wound in the chest while taking a roadside nap on his car.

### PRESSURING NIGERIA

Canada suspended several military programs with Nigeria because the African country's leader, Gen. Ibrahim Babangida, annulled a June presidential election and cracked down on pro-democracy demonstrators. External Affairs officials threatened further unspecified action if Babangida does not lift his promise to hand over power this week to a democratic civilian government.

### IRAN'S WOKES

Israel's Supreme Court blocked until September the release of John Demjanjuk, the former Cleveland auto worker whom it recently acquitted of being a Nazi concentration camp guard "Ivan the Terrible," to give Iran leaders and Holocaust survivors time to seek fresh war-crimes charges against him. Demjanjuk, 75, was stopped of his U.S. citizenship in 1981 because he concealed his wartime past and was extradited to Israel in 1986, where he has been imprisoned ever since.

### A JUNGLE MASSACRE

Brazil hit officials said that about 48 primitive Yanomama Indians were found massacred in a remote corner of the Amazon jungle. Four survivors of the attack claimed that it was caused out by violent gold miners who looted women and children with machetes. Since 1990, the Brazilian government has launched operations to remove the miners from the State Area. Yanomama's forest reserve, which is rich in gold and other minerals.

WILLIAM LOWTHER is in Washington

NAGORNO-KARABAKH

# Europe's forgotten war

Armenians and Azeris fight for control of a disputed region

With a quick sweep of his hand, an Armenian soldier guard waves a battered blue Soviet police uniform, waves the uniform through the last checkpoint. Not far to the east, the white armor of a grass fire, ignited by an exploding artillery shell, drifts lazily across the purple mountainside. In the valley to the west, the shallow Yabakhi river snakes through the bombed-out remains of a tiny village. The village, like so many in western Azerbaijan, is nearly abandoned, except for the shrapnel of a handful of shabby granges beside one of the two doors charred, not-burnt houses. "Welcome to the 'Lachin corridor,'" Welcome to Europe's forgotten war in Nagorno-Karabakh.

Hundreds of Armenian and Azeri soldiers died last year in fighting over this 20-km-long rocky road corridor connecting the former Soviet republic of Armenia and the enclave of Nagorno-Karabakh's bordering Azerbaijan. For Christian Armenians, the battle was fought to open a humanitarian lifeline to their compatriots in predominantly Armenian Nagorno-Karabakh, a 1,700-square-mile region of 200,000 people fighting for independence from Muslim Azerbaijan. For Azerbaijan, the older former Soviet republic believed in the five-year conflict, the fighting was to stop Armenian "ethnic cleansing" of Azeri land. Since the last full-scale battle in December, Armenian forces have established control over the corridor, a humanitarian lifeline littered with the bombed-out houses and farms of Azeri refugees. And what was once a slim passage-way is now a huge swath of land, 100 km wide, effectively joining Nagorno-Karabakh to Armenia.

The war over Nagorno-Karabakh has been the bloodiest of the many ethnic conflicts in the wake of the Soviet Union's collapse. As many as 15,000 civilians and soldiers have died, another 100,000 have been injured or wounded and 600,000 refugees have been displaced because of the fighting. A civil war in Georgia in the north and fighting in the west between Turkey and separatist Kurds underscores the instability in the southern Caucasus region. But this particular ethnic feud, with roots dating back a thousand years, has no regional cap to its brutality.

Josif Stalin gave the long-disputed Nagorno-Karabakh area to the new Soviet Azeri republic in 1923. The Soviet dictate-



was silent on mounting instability between the Christian Armenians and the Muslim Azeris—and the strategy worked. At the time almost all the inhabitants of Nagorno-Karabakh were ethnic Armenians. After the earthquake, Azeris started moving into the region, settling up towns and villages of their own. For decades the two peoples managed to co-exist in the pristine mountains and in the valleys. But tensions and suspicion perpetually simmered beneath the surface.

After Azerbaijan's independence in 1991, when cracks began to show in the foundations of the Soviet Union, Nagorno-Karabakh's Azeri residents finally rose up—and ethnic tensions boiled over into open warfare.

A few kilometers across the Azeri-Armenian border and up the winding, gravel-strewn, zig-zagging road to Nagorno-Karabakh, the formerly Azeri town of Lachin, after which the corridor is named, sits nestled among steep rocky ridges. As the town comes into closer view, it is clear that the destruction is absolute. No building, no house, no school, not a bus shelter has been left unscathed. In the doorway of one house, behind its overgrown front garden, a pile of shoes signals the former occupant's rush to flee an incoming army.

Closer to 30,000 people, mostly Azeri, used to live in Lachin. But last week, one regiment of 40 to 50 Azeri Armenian volunteers, who call themselves Fedayens, or freedom fighters, guarded it as an outpost. "We never would have come if the Azeris had left us to live in peace," says Stepanos Adak-Nisanyan, standing with his Soviet-made AK-47 rifle slung over his shoulder. He speaks softly, standing with his comrades in front of the old Lachin Communist Party headquarters. "We have no imperial desires," adds Harutyun. "We want to protect our people. When they [Azeris] closed this road and started to attack our people here we had to act. It was self-protection."

A school bus that doubles as a news hall and ambulance is parked a few feet away from the soldiers at the Lachin headquarters. On the back seat, coats of Russian and Azeri are mingled with packages of canned spaghetti from New Jersey. Beside the bus, a Russian-made tank has its gun trained on the town center down the hill. The war started with tanking rifles and machineguns, but later graduated to missiles and heavy artillery. The Azerbaijan government has accused Armenians of supplying the Fedayens with weaponry. The Armenian denies the charge, saying that only rebel supplies go through the corridor. "Most

of our guns and weapons come from the Azeris," claims Harutyun. "The more we fight, the more we acquire."

Leaving Lachin, the road enters Nagorno-Karabakh itself. The road is barren and unquipped except for the debris of a gas station. Broken, discolored tanks and trucks dot the roadside to the east, the next big town, as Azeris drive away. Once a prosperous textile manufacturing center of 80,000 people, 30 per cent of them Azeri, Shusha has been reduced to rubble. Women carry pots of spring water through the broken streets. Children play on the roofs of crumbled apartment blocks. The all too familiar sights of burnt and shattered buildings and homes are everywhere.

In the midst of the destruction, an Armenian wedding party has come to the ruins of a 200-year-old church. The groom is a twice-wounded Fedayen veteran, now blind in



Members of Stepanakert festival: scenes of civilization are common

one eye from his injuries. "They [Azeris] want to make this a religious war," says Yura Hovhannesian, the wife of a local pastor. "But it is not. This is a war for land." Hovhannesian says that since the fighting began, the Azeris tried to convert the church into a mosque. She points to the roof where a Christian cross had been removed. An Armenian prayer engraved in stone above the church entrance has been scratched away.

In fact, the war appears to be both an ethnic and religious conflict. For many Armenians and in Nagorno-Karabakh, the fight is also the continuation of a struggle against the old Muslim Ottoman Empire. In 1915, Armenians living in what is now eastern Turkey were attacked and driven off their land by Turks. More than one million Armenians died, many of starvation or forced to the deserts of the Middle East. Turkey denies that a genocide took place, but for Armenians the episode defines their consciousness—

and their identity to the Muslim Azeris.

A few kilometers north of Shusha, the capital city of Nagorno-Karabakh, Stepanakert, lies under a haze brought in by the worsening summer heat. On the road leading into the city, where 70,000 people are living, lies the winding of a grave-yard gathering in a clearly visible through the thick, heavy air. Beside a common cemetery, a monument to the Second World War dead marks a makeshift Fedayen cemetery has been dug out of the parched earth. A tall looking elderly man and what is left of 300 people are lying on the 5th and last row. Beside the elderly man, the photograph of his husband, a young widower weeps uncontrollably. Beside her, four other young widows, related by common grief and the shared loss of dead brothers all weep. "They were all good people," says the widow. "All will be here in a beautiful body. My legs are all gone, we are alone." Such grimaces, sobs are common. Survivors on both sides of the war say that the cuts of fallen soldiers are often a disfigurement and that faces are often cut up beyond recognition.

Last year the Azeri nation tried up to 400 missiles a day on Stepanakert, which until a month ago was still a thriving city of the northern front lines. But then, Fedayens forces overran the Azeri town of Agdam just outside Nagorno-Karabakh, sending 30,000 refugees fleeing across the border to Iran. The UN Security Council condemned the action, but Fedayens commanders claimed that they were only protecting the capital from Azeri attacks. On the southern front lines, 30 km inside Azerbaijan, Fedayens fighters now control

all the high ground around the city of Fash, recently abandoned by its 25,000 Azeri residents in expectation of a fall-back assault.

Village by village, the Azeri Fedayen troops' incursions drive through Agdam territory, encircling Nagorno-Karabakh and thereby ensuring the enclave's isolation. Last week, in fact, the Azerbaijan government sent a letter directly to the self-declared rebel government in Stepanakert asking for a temporary ceasefire. It was the first time that the Azeri recognized the existence, if not the legitimacy, of the disputed region's Armenian leadership. And it appeared to be the best chance in the years of ending the bloody conflict. From the new line in Lachin to the front line near Fash, the two sides tread through Nagorno-Karabakh in a no-man's-land in an ethnic no-death grip that may now be loosening, if only from sheer exhaustion.

DANIEL HIRSH/KIT in Nagorno-Karabakh

# Living with violence

Violence in South Africa is spreading out of control. In a country ravaged by attacks both political and criminal, citizens are among themselves at an unprecedented rate. *Madison* Cape Town correspondent Chris Erasmus, 36, is married and has two young children. Like many South Africans, he has begun to fear for his family's safety. His report.

It was just past midnight, one of those blustery Cape Town nights in early May. Driving at 70 km/h, I witnessed what turned out to be the end of a particularly brutal rape, a man and a woman, the latter naked and bleeding from numerous stab wounds, struggling on the sidewalk of one of the city's main urban

bus arteries. Turning around and driving past the scene again, there was no sign of the woman, but there were two men running along the pavement with the man and what looked like clothing. Then they disappeared from view. Moments later, a car appeared behind me. Frightened, alarmed and with no way of knowing if the passengers were armed, I headed for the rear by highway and eluded the car. Fortunately, some policemen were detouring traffic around an accident scene. Acting as my mount, police captured two suspects in possession of some of the woman's blood-soaked clothes. The men allegedly recognized the victim, a young woman with a history of criminal problems, dragged her in full view of the passing traffic, locked her clothes off, cropped her hair and then raped and murdered her. According to the investigating officer, the woman is "a total wreck," psychologically speaking—she can't even string three words together."

For weeks now, memories of the accident have recurred in those quiet hours of the night when sleep won't come. And yet, in disturbing as the attack was, it was merely an isolated example of an undesirable life. South Africa is among the world's most violent societies. Next April's scheduled democratic elections alone are unlikely to do much to change the situation—at least not in the short term.

With only the prospect of more violence ahead, anxious South Africans of all races are turning to guns. While South Africa already has the second most heavily armed civilian population in the world, trailing only the United States in firearms per capita. Two years ago, there were about two million weapons in circulation, most of them in the hands of the country's 3.5 million whites. But since then that figure has risen dramatically as political violence has worsened, and criminal violence has become so severe that rape, assault and murder routinely accompany crimes such as burglary. More than 16,000 gun permits are being issued every month. And it is now common for people to pack guns at business or social occasions, particularly in the

wake of recent black militant attacks on predominantly white entertainment spots.

Each new outbreak of violence results in an increase in the demand for weapons. A rifle and hand-grenade attack on a multiracial church congregation in the leafy Cape Town suburb of Kenilworth on July 26, which left 31 dead and more than 50 wounded, has prompted a run on ammunition in the city's gun shops. Darryl Miller, owner of Crowshill Guns, located just a few kilometres from the scene of the church attack, says "We are selling weapons faster than we can bring them in to the country, and selling ammunition faster still."

Miller points out that most of his customers are blacks, Asians and



Riots in Cape Town: anxious South Africans of all races are turning to guns

South Africans of mixed-race heritage. He adds "They come to buy and say, 'I don't like guns and I don't want to have one, but the situation has deteriorated to the point where I have to buy one.'"

Witnessing that brutal rape last May has heightened the sense of personal danger. How do people stop an armed intruder in their home with only their convictions? What right does a person have to endanger the lives of his children because of an unwillingness to bear a large moral and ethical burden?

And so, despite a deeper than ever aversion to violence, I write this—a difficult thing to do in itself—with my newly purchased 7.65-cal PPK. Whether pistol tucked uncomfortably in the small of my back. How does it make me feel?

A little safer, perhaps.

But it also makes me angry—angry that I must carry a weapon, along with the dangers and responsibility that doing so unacceptably brings. And angry that I should have to compromise my ideals to protect my family and myself at a time of ever-increasing threat. ☐

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## THE UNITED NATIONS

## Great expectations

The UN's Boutros-Ghali prepares for unknown challenges

When former Egyptian diplomat Boutros Boutros-Ghali became the UN's sixth secretary-general—and the first from the Arab and African worlds—on Jan. 1, 1992, the collapse of Soviet communism and the end of the Cold War promised a new era of peace and cooperation. There were high expectations on the world stage and in the halls of the United Nations for military cooperation and the global flow from Bosnia to Cambodia to Somalia, and the UN's financial crisis had deepened those hopes. On the eve of a visit this week to Quebec City, where he planned to address the Canadian Star Association's annual meeting, Boutros-Ghali, 55, spoke with *Maclean's* associate editor Andrew Biles at UN headquarters in New York City. Excerpt:



Boutros-Ghali: 'It's new dangers in our environment'

**Maclean's:** Are there too many demands on the UN's limited resources?

**Boutros-Ghali:** During the Cold War you had a crisis of confidence in the United Nations, and today you have a new crisis, which is too much confidence in the United Nations. We are asked to intervene in all three parts of the world and at the same time we don't receive the financial support necessary. This is the new challenge.

**Maclean's:** For instance, you announced that the UN, under your leadership, has only enough cash to last about a month—and that unless donors agree to donate pay up it may lead to failure to function. Are you understanding and even strategic operations and in a position? How serious is the financial crisis?

**Boutros-Ghali:** It is very serious. I have [recently] received positive assurances from the Germans, who paid up something like \$60 million, and the Americans, who gave me \$75 million. But this has not solved all the problems. Canada is one of the few countries which is fully paid up.

**Maclean's:** There is much debate over the extent of UN's role in peacekeeping. In Somalia, for example, they closed the military when we took a security dialogue. On the other hand, in Rwanda, do you support the UN's role?

other countries in preparing the tasks that they can best handle. It had to be done this way.

**Boutros-Ghali:** Certainly, yes. It is the crisis that there are 60 million people in 11 of the 14 peacekeeping operations. Canada has always played a very important role. And this is not because we are too generous or grateful to the Canadian government. I don't want to offend Canadian participation. I always obtain a quick and very positive answer. I must mention also that Canadians have lost their lives while serving in UN peacekeeping missions. A total of 91 Canadians have died since 1950 in peacekeeping and related op-

erations. We have to recognize this very important contribution.

**Maclean's:** The three warring Bosnian factions have not returned to the negotiating table in Geneva. Is the plan to divide Bosnia into three ethnic states the only hope for peace?

**Boutros-Ghali:** It is very flexible. What is important is to achieve a ceasefire and to achieve peace. And this can be achieved only with the agreement of the three groups who are there. If they agree on a position, then we will support them. Nothing will be done without their agreement, and nothing could be done.

**Maclean's:** NATO ministers are awaiting your decision on Bosnia air strikes. On what basis would you authorize such action?

**Boutros-Ghali:** Again, it is not my decision. I have received a mandate from the Security Council. And my decision will be based on the point of view of the people who are on the ground, [especially] on special representatives Thoralf Solheim. He is directing [peace] negotiations in Geneva, he is supervising humanitarian assistance, he is supervising the [peacekeeping] operation on the ground. So before doing an air strike, we have to know what will be the impact [on these areas].

**Maclean's:** He believes that it is necessary. I will give the green light.

**Maclean's:** Throughout its 48-year history, the UN has dealt with a multitude of crises and crises. What do you foresee as the biggest challenges going into the next century?

**Boutros-Ghali:** The biggest challenges are certain new problems that we are not well aware of. The role of the UN will be to prepare to be the forces which will tackle those problems. We will also have to overcome the signs of global warming, who will want to act by themselves. And a new danger is nuclear terrorism. You'll have the risk of moving from 180 countries to 500 countries in the next 30 years, each time group brotherly to have its own nuclear state. This will not solve their problems.

**Maclean's:** You have said that your greatest strength as secretary-general is that you are not an election officer. You were elected in 1992. That implies a willingness to drop popularity to get the job done. Twenty months into the job, are you satisfied with your effectiveness? Will there be enough time to make all your goals?

**Boutros-Ghali:** Certainly, there will not be enough time. But I hope I will be able to give to the next secretary-general a better start structure when I leave this organization. The 50th anniversary of the United Nations in 1995. It will be an occasion to create a new momentum in international public opinion. I

## PEOPLE



Michael Ondaatje: 'All brothers and sisters'

## A victory for peace

In North America, beauty pageants have largely faded into a shadow as protest and conflict. But in South Africa, a protest has rejected the attitude of a country seen by racialist rule and political uncertainty. Earlier this month, *Jeopardy!* was crowned Miss South Africa—becoming the first black winner of the contest's history. Previously, her victory sparked outrage among some white South Africans, who snapped radio talk shows with accusations that she was merely a token black, that she was "only" and that she had won only for political reasons. But amid the controversy and media, 21-year-old Makgale, who grew up as the largely black township of Soweto, maintained her optimism—even about South Africa's future. "I tell myself after I was that it was going to be hard and I am prepared for that—if not, I would probably have broken down and cried when those people said many things to me on the radio show," said Makgale, a 21-year-old university student, former student who has aspirations of becoming a teacher. "I think I am in a wonderful position to build bridges of peace, to make connections between the different races and language groups, to show people that they are all brothers and sisters."

And it might be working already. During a visit to her old primary school in Soweto, Makgale recalled "the children began shouting, peace, peace, peace," because they knew that's what I said for it was incredible, all these little things showing for peace—I had tears in my eyes."

## 'Make something positive'

Charlotte Vale Allen puts her misery—real live misery—where her mouth is. In her latest novel, *Devi*, she is making a case for the power of love, abuse, the 52-year-old author has included a lot of help centers for victims of family violence. In that vein, Vale Allen—who was herself a victim of incest as a child—has joined forces with Canadian designer Marilyn Brooks to raise money for abused women at a Toronto fund-raiser this fall. The proceeds from the sale of Brooks's shepherds, along with a percentage of sales from *Devi* in Color, will be donated to a women's shelter. "I don't want to sound like Susan Charbonnet," said Vale Allen, who is 52. "But you have to take what you have experienced and learned and make something positive out of something negative."

## The sound and the stars

Faded Hollywood—4 years ago, the place for celebrities to be seen is here in Canada. Since the controversy over legions in Clayson's April, the stars have been flocking to the site about 200 km northwest of Victoria. In July, Australian rocker *Midnight Oil* and environmental lawyer *Robert Kennedy Jr.* put in appearance for the 40th-logging site. And last week, *Devi's* author and "environmentalist" *Roll* led a crowd of about 300 protesters outside a United oil. But perhaps the most notable victory was that of *Barbara Williams* and *Colleen* activist *Ben Hayden*.

The *Superman*, B.C. born actress, co-star of the 1980 movie *City of Hope*, married *Hayden* on Aug. 7 in a formal ceremony presided over by a Buddhist priest from New Mexico. *Devi's* author, Williams explained her commitment to "environmental" and "peace" as the sacred on the Earth be-



cause of the dominion over the Earth that has come down from early Christian times is really an assault on women, as well."



In any event, Clayson's arching exposure has created a "strong" and "highly" admirable—winner still. Ward in the media's circle is that Al Pacino, expect a vacation there after this summer, and that Jane Fonda—Hayden's wife—went on her way to support the anti-logging group *Friends of Clayson Sound* (group representatives do not need the name). *Carson* author *Williams* in *Tofino* over the Aug. 15 weekend of a black.

*Williams* was expected to carry *Arnold Schwarzenegger*, the actor once known as the *American* actor, who allegedly had lunch at The Loft restaurant. In fact, he was in Los Angeles to open the *Mayor City* *Garrison* urban book, just the opening remarks who was in the long black limousine.

From top: Schwarzenegger, Fonda, Jeff, at Clayson, 'environmental'



# A NEW WAR OF WORDS

CANADA'S TWO MAJOR AIRLINES REKINDLE THEIR LONG-STANDING FIGHT FOR SURVIVAL

The offer was unedited—and unwelcome. Last week, Air Canada offered to buy the international routes from Air Canada's beleaguered rival, Canadian Airlines International Ltd. Air Canada's president, Helmut Helms, told a news conference in Montreal, where the former Comair corporation is based, that his company was willing to pay \$600 million for Canada's routes to Europe and the Asian

continent, starting merger talks with Canadian. Soon after, PRA announced that it had reached an agreement with AMR Corp., the parent company of giant American Airlines Inc. based in Fort Worth, Texas, to sell 25 per cent of Canadian Airlines for \$244 million. To meet the terms of that deal, which calls for Canadian to join American's Sabre reservation system, the airline must first extricate itself from the Gatwick reservation system that it shares with Air Canada. Although Air Canada opposes that move, there was a respite for several weeks as PRA applied to both the courts and regulatory authorities for permission to quit out of Gatwick. With the outcome still unanswered, Eytan said that he and Helms were planning to get together soon to discuss the Gammon deal.

Against that backdrop, Eytan says that he was shocked when he opened his newspaper on Aug. 14 and saw a full-page advertisement placed by Air Canada briefing documents that describe how it would "continue the strategy of slowing down/dropping the AMR deal." A spokesman for Air Canada acknowledged that the documents were genuine, but declined any further comment.

According to at least one airline industry analyst, there was a deliberate strategy behind the timing of Air Canada's aggressive moves. Wilson Stansbury, a commerce professor with the University of British Columbia in Vancouver, said that PRA's major creditors and shareholders were scheduled to vote on Aug. 22 on the company's restructuring plan—and their approval of that plan is a key to the success of the crucial AMR deal. "The



Eytan talking with employees in Toronto, where he left. 'Are you confused?'

north about \$20 million. The 50-seat plane, manufactured in Montreal by Canadian Aircraft Group of Bonaventure, Que., will be used to break into new U.S. markets. There they capped the week with the offer to buy Canadian's international routes.

PRA soon returned fire. On Aug. 18, Canadian took out \$700,000 worth of ads in 12 newspapers across the country. Addressed to Air Canada, the ads asked, "Are you confused?" Canadian then released internal Air Canada briefing documents that describe how it would "continue the strategy of slowing down/dropping the AMR deal." A spokesman for Air Canada acknowledged that the documents were genuine, but declined any further comment.

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creditors will dominate Canadian's future," said Stansbury. "Air Canada is hoping that if they create enough division and confusion, the creditors will leave Eytan and the PRA board of directors to take the Air Canada offer."

For his part, Helms admitted that the offer of Canadian's international routes was an act of desperation to sway the opinion of Canadian Airlines' shareholders, employees and creditors. But, he said, the deal would save 2,800 jobs that would be lost if Canadian makes the deal with American Airlines. Still, the offer is not a straightforward one. Although the sale of routes would not require approval from the National Transportation Agency, cabinet approval is mandatory. All international routes are set out in bilateral treaties with other nations and the federal government specifies which carriers may fly those routes.

Stansbury: "Those routes are not Air Canada's to buy nor Canadian Airlines to sell."

For now, however, the federal government is trying to sort out the deal. Helms, a spokesman for Transport Minister Jean Charest, said that it would be "prudent"

to discuss government approval for route ownership. But he added, Ottawa is pleased to see some activity in the airline market—whatever the merits of each side's arguments. Said Helms: "The minister has said all along that this is a pro-competition act, and must be solved by the private sector."

Nevertheless, Canadian Airlines employees are campaigning to persuade Ottawa to intervene. Last week, they set up tables near to Canadian Airlines check-in counters across Canada where they asked passengers to sign petitions urging the federal government to resolve the Gatwick dispute through negotiation. They plan to give the petitions to a round table, which they will then present to Ottawa. Said Peter Jasevich, an employee organizer in Calgary: "The round table symbolizes where the negotiations should be taking place." And with a federal election on the horizon, the government just might decide that the dispute between Canada's two major airlines is too hot to handle.

BARBARA WILKINS

## INFLATION HOLDS STEADY

Canada's annual inflation rate held steady at 1.6 per cent in July, Statistics Canada reported. Economists said that wage and price pressures that were offset by the recession have yet to reappear.

## WORK STOPPAGE

Two beleaguered Canadian developers, Toronto-based Meriborough Properties Inc. and Intere Properties Ltd. of Calgary, announced that they are halting construction on the \$70-million Bay Adelaide Centre in downtown Toronto. The two companies have already invested \$500 million in the project. Presumably the project would cost at least a further \$100 million. The companies placed the move lower in build two years ago because of a slump in the Toronto office-rental market.

## MERGE IN TOWNSHIP

Two of the world's largest toy manufacturers plan to merge. Mattel Inc. of Hawthorne, Calif., which makes Barbie dolls, announced plans to buy Fisher-Price Inc. of East Aurora, N.Y., which manufactures educational toys. Mattel will pay for Fisher-Price with \$1.2 billion worth of Mattel stock.

## PEOPLES' CHOICE

The board of directors of the financial services group Peoples Jewelers chain named Cher Copeland as its new president. Copeland, 57, a Toronto native, is currently the chief operating officer at Dallas-based Zale Corp., the largest U.S. jewelry retail chain. He plans to return to Toronto to assume his new job in Sept. 1. Peoples declared bankruptcy in July after Marvin Gerson, son of the company's founder and a major shareholder, voted against a debt restructuring plan. Company chairman David Scott bought the company a year later for \$77 million. Zale recently emerged from a 26-month restructuring period under court protection from its creditors.

## KODAK'S BREAK PICTURE

Eastman Kodak Co. of Rochester plans to eliminate 30,000 jobs by 1995, lower research spending and take other necessary measures to help save \$3.7 billion. The job cuts amount to about 10 per cent of the photographic equipment company's global workforce. Kodak cut 3,800 jobs earlier this year. About 2,000 people work at Kodak's plant in St. John's, a company spokesman said that it was too early to say how they would be affected by the cuts.

# Keeping secrets

Companies feud over the ownership of ideas

It was the kind of bizarre incident that viewers of *Late Night* with David Letterman would have come to expect. As a young man lay on the floor on his back, Letterman, the anchor host of the NBC television talk show, poured milk into the guest's open mouth. The show's German Shepherd dog then lapped up the milk. The incident was typical of the hundreds of stunts called Stupid Pet Tricks that ordinary people and their pets performed during Letterman's 15-year run on the New York City-based NBC network, but last January, with his NBC contract about to expire, Letterman signed a \$50-million, three-year deal with the real-life Clinton to host a new program that will compete with NBC's *Tough Love*. NBC had to let Letterman go, but since then, lawyers for the two networks have been battling over ownership of Stupid Pet Tricks, the Top 10 List and other stunts that Letterman performed regularly on *Late Night*. NBC claims that the stunts are its "intellectual property" and that Letterman cannot legally perform them on his new show. Letterman, in turn, vows that he will perform many of his old routines when his new show starts on Aug. 30. At that point, NBC will have to decide whether to sue.

At first glance, Letterman's legal battle with NBC appears almost as bizarre as the routines themselves. But it is one of many heated disputes in an increasingly—and increasingly so—branch of law dealing with intellectual property. The term refers to a broad range of confidential information that includes patents, trade secrets and copyrights. At the heart of almost all disputes over intellectual property lies a fundamental question: who owns—and is entitled to profit from—an idea? It is a crucial question for drug manufacturers, software developers and companies in other research-intensive industries. But with technology changing rapidly in almost all sectors of the economy, the concern increasingly extends to more traditional industries as well. For many companies, the question of who owns what ideas arises when they move to a new job and must decide how much information from their former job they may now use or disclose. In a recent case, General Motors Corp. (GM) of Detroit accused its former head of global purchasing, Juan Ignacio Lopez de Arcaute, of stealing company secrets before he joined Volkswagen AG in Germany in March.

As the workplace changes, more and more employees are revealing, with intellectual property issues. The widespread use of state-of-the-art personal computers, along with the most direct to files of corporate hard-ware, means that many companies have

weakened the internal access to detailed information about their unique manufacturing processes or business strategies. As well, highly technical fields such as biotechnology, say, advances often come in small incremental steps, rather than large leaps. As a result, even one employee's scrap of knowledge can be worth millions of dollars in a highly competitive industry. Said Harold Elliot, a partner

in their property. To be clear on that matter, GM encourages workers to inform the company of any technical papers they have published or patents they find before joining the company. When an employee leaves GM Canada, either voluntarily or through layoff, a manager conducts a separate interview with the employee. In that interview, Barrett says, the manager reviews the original confidentiality agreement and outlines the employee's ongoing obligations to keep certain information confidential.

Despite efforts to clarify who owns what, many legal gray areas remain. Under existing Canadian common law, employees are clearly prohibited from taking tangible assets such as manufactured goods, customer lists, manuals and other documents with them

companies are taking their former employees to court to try to do just that. David Kleban, a lawyer who practices employment law with McMillan, Birch in Toronto, says that most cases do not go beyond the early stages of the proceedings, when the company wins an injunction against a former employee and his new employer (preventing them from using confidential or proprietary information). "At that point, the company has often achieved its objective," Kleban said. But there is no clear trend in cases that have actually gone to trial.

The stakes can be considerably higher when real competition have a direct connection over intellectual property rights. On Aug. 5, they genetic drug manufacturer Neopharm Ltd. of Toronto and giant Glaxo Inc. of North Carolina went to trial in U.S. federal court over the patents for the sleep-treatment drug Zolnac.

It is the world's best-selling prescription drug, with 1992 sales totaling \$2.1 billion worldwide. Neopharm, which wants to manufacture a cheaper generic form of Zolnac, contends that a second patent issued on the drug, set to expire in 2002, is invalid because the patented formula too closely resembles the first patent that will expire in 1995.

There are also potentially billions of dollars at stake in GM's dispute with Lopez and Volkswagen. Lopez joined GM's struggling European subsidiary, Adam Opel AG, in 1980, and in 1992 he joined the car maker's North American operation. But in March—two days after he attended a meeting in Germany where executives discussed Opel's production plans for the next decade—Lopez jumped to Volkswagen, where he was named production director. Within

a few weeks, seven other GM and Opel executives joined him.

GM quickly won a court injunction to stop Volkswagen from hiring any more of its executives. But GM also accused Lopez of industrial espionage, saying that he took confidential documents when he quit. Last week, after months of back-and-forth negotiations, Germany's federal economics minister, Gerd Gensler, personally intervened and attempted to negotiate a ceasefire between the warring auto giants. For companies like GM, VW and many others, intellectual property is clearly more than an abstract legal concept. It is increasingly the very core of their business.

BARBARA WICKENS



Volkswagen's Lopez allegedly stealing secrets from a former employer

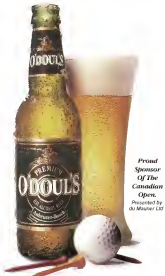
ner with Toronto law firm Shibley Rightman. "Because of the speed of small technical improvements, intellectual-property law has become very important."

Accepting that how costly ideas can be, many companies now require new staff members to sign so-called non-disclosure agreements. Those agreements spell out what employees may reveal to outsiders about the company, both while they are employed there and afterwards. "Generally speaking, anything the employee is paid to do, the company owns," said Paul Barrett, senior patent agent for GM Canada Ltd. of Toronto. Barrett notes that any ideas or inventions that employees bring to GM

when they leave. But problems often arise, Elliot says, with the knowledge and experience that an employee has gained while working at one company. In some instances, for example, information about a proprietary process of production, while not sufficiently unique to require patent protection, may save a rival company millions of research and development. So in, Elliot adds, judges have ruled that employees are entitled to "what is in their heads." Regardless of the specifics in a non-disclosure agreement, Liza Barrett says that "it is very difficult for us to prevent former employees from using the knowledge they have learned here."

Still, more and more frequently in Canada,

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WHAT BEER DRINKERS DRINK WHEN THEY'RE NOT DRINKING BEER.

# Small is beautiful

Federal candidates court small business



Bellevue fighting for better access to capital from financial institutions



Like thousands of other small-business owners across Canada, Susan Bellan complains that her bank kept a lot tighter with her after the economy plunged into a recession in 1992. Bellan, 45, owns a popular restaurant and cafe shop in downtown Toronto, and she says that in the half of that year her bank threatened to revoke her revolving \$85,000 line of short-term credit. Bellan did not just get out, she fought back. She complained loudly and publicly to bank executives, federal regulators, reporters and anyone else who would listen. The bank crinkled, and actual by agreement her line of credit is \$200,000. But Bellan did not stop there. She agreed to head up a committee on banking issues for the Edmonton-based Canadian Organization of Small Business. She now lobbies on behalf of other small-business owners who she claims are also being squeezed by tightened bankers—as asserted that bank owners were vigorously disputed. And however severe the credit crunch may be, politicians—only a federal election looms—still are making to change small-business laws with federal proposals designed to make it easier for them to obtain loans. But, though, does not credit any quick

relief. "Everybody loves small businesses," she says. "But nobody wants to lend them any money."

Last week, the federal Liberal party jumped into the fray with both feet. At a news conference in Ottawa, party leader Jean Chrétien, Montrealer Paul Martin, the co-chairman of the party's platform committee, and Torontoite Jeanne Martin, the Liberal's small-business critic, unveiled a small-business plan. Among other things, they vowed to reduce bureaucratic red tape to reduce \$500 million a year in spending over four years into a Canada Investment Fund for "leading edge" companies and to establish more information-sharing networks between small companies. Catherine Swell, senior vice-president of the \$500-million Canadian Federation of Independent Business (CIBI) in Toronto, said that the plan was "very short on specifics." But she added, "[and] all election platitudes."

The Conservatives are also trying to win the small-business vote. In April, the federal government increased the portion of eligible bank loans guaranteed by Ottawa under the Small Business Loan Act to 90 per cent from 80 per cent and introduced several other changes—changes that they claim will channel an additional \$1 billion in loans to small businesses this year.

But as the politicians race to offer help, bankers caution that the small-business credit crunch has been greatly exaggerated. In fact, the Canadian Bankers' Association says that the Big Six chartered banks actually increased their small-business loan portfolio by four per cent to \$29.4 billion in the fiscal year ended October 31, 1992. "Sometimes we have to say, 'No,'" said Warren Walker, vice-president of consumer credit banking at Scotiabank and past chairman of the association's independent business committee. "But you don't hear about the thousands of lines that we say, 'Yes.'"

Still, even Walker acknowledges that some of the small-business owners' complaints are at least partially justified. Among other things, he says that the banks are still wrestling with the task of how to lend money in starting companies in the burgeoning computer software industry and other knowledge-based sectors in the so-called New Economy.

The Liberals propose to attack that problem with their investment fund and by encouraging greater co-operation between small businesses and universities and major export alliances between companies. As well, Martin told Martin's that Ottawa should "push" the banks to lend more money to small businesses, even if that means forcing them with more co-operation from rival companies, credit unions or foreign banks if they will not co-operate. However, Walker and other bankers argue that forcing the banks to lend more money to small businesses could backfire. He notes that five of the seven largest banks in New Hampshire failed after that state imposed such lending rules in the mid-1980s. Said Walker, "None of the other stakeholders in the banks—the regulators, our depositors, our shareholders—have an interest in us positioning ourselves at the far end of the risk curve."

The Liberal Conservatives in bank districts. The Liberal proposals as mostly a rebuff to the party's own policies. Stephen Stewart, a senior policy adviser to newly appointed Finance and Small Business Minister Paul Nicholson, says that, for one thing, the Tories are also in competition between the 15 Conservative legislatures and academics through 15 Canadian universities involving several Canadian universities—although the Finance Minister, Donald Macdonald, cut funding for that program in a July budget.

As for the Liberal proposal \$100-million investment fund, Bellan and other small-business owners dispute it as a trap in the books. CIBI president Swell also complains that neither party is proposing dry cuts to what she says are excessive costs on small businesses. But with the Liberals and the Conservatives both vowing to reduce the government's deficit, it is clear that the party has reason to offer small businesses beyond encouraging words.

JERRY DILL

## BUSINESS WATCH



# Exclusive: CN and CP in secret talks

BY PETER C. NEWMAN

Highly confidential negotiations are under way between the chief executives of two of Canada's most significant businesses—CN Rail Systems and Canadian National Railways—that could lead either to the merger of their railway operations, or the takeover of one by the other. Either way, these discussions will mark Canada's closest privatization as part of what will become the country's largest train portfolio empire.

"The status quo is no longer possible—it's a fait accompli," it was told last week by Paul Teller, CN's chief executive officer, who launched the merger initiative. "The reason is that both railways are dropping too much money. Last year, between us we lost \$624 million as an operating loss and if you do the special charges for the 11,000 employees we had to lay off, the loss went \$1 billion. This year, the largest loss in Canadian corporate history." The downward spiral, according to CN's current 22,000 employees, 10,000 more will leave the company through attrition the next three years.

When Teller switched to CN six months ago from his former job as chief of the Press Canada in Ottawa, he immediately called on CN's chief executive officer, Bill Wilson, and told him, "Look, with both losing our shirts on the table, shouldn't we examine what we can do?" One of that meeting was established a high-level committee to examine what might be feasible. Its report, confidentially circulated last week, concluded that the way to save a high degree of rationalization between the two rail companies is imperative, and that this should eventually lead to some form of financial restructuring. "We need to make sure," says Teller, "that whenever the government divests entities after the next election cycle, we can present them with a good problem definition and a set of available options instead of fighting their battle from the way the two national railways have been doing."

*'Can we afford two uncompetitive, inefficient railroads, or do we survive through strategic alliances with American lines?'*

we would be done up with past solutions." Teller was able to tell the idea through because, unlike every other executive involved, he avoided the railway culture, based on CN's traditional independence since the founding of the CN in 1977 both railways no longer any freight services, but if the merger or other mutual management takes place, it could include the building of the highly profitable Bombardier or Siemens express super train between Montreal and Toronto.

Teller points out that the real reason Canada's railways have reached such an unprecedented state is that they can no longer hide the fact that their western lines are heavily subsidizing their eastern networks. Rail operations west of Winnipeg have been losing a profit through even if it is a few dollars east of the Lakehead line, let's mention. In 1992, CN's three eastern divisions lost \$200 million on revenues of \$1.1 billion. And while its western operations are profitable those earnings are beginning to decline. CN's 1992 revenues totaled \$1.6 billion, its assets are \$7 billion, its depreciable rail assets are \$1 billion in revenues and \$5.5 billion in assets. The merged company would then have an initial asset base of \$10.5 billion.

The problems faced by both transportation giants is that Ottawa forces them to service too many loadings of trucks unaccompanied by traffic loads. These loads will either have to be abandoned or spun off to private enterprise, such as the recent deal which saw CN sell its trucks from Truro to Selkirk, N.S., for \$50 million to a private company called Tru-Tec Inc. It will operate that 400-ton hauler with half the labor force (52 compared with 112) required under CN's complicated and antiquated union agreements. "The only other alternative," Teller notes, "is some kind of reformation or amalgamation with CP."

"The other factor weighing us down," Teller cautions, "is that we are saddled with some of the most generous collective agreements of any industrial sector in North America. Some 80 per cent of our labor force enjoy full employment security for life, which means that after eight years in the payroll, even if their jobs are abolished, employees must be offered an equivalent job at the same salary rate." As a new round of union negotiations is due to start next month in the context of a continually shifting share of goods carried by rail. In 1993, 70 per cent may be taken over by rail, with only 30 per cent trucking against the rest of the haul.

It is not easy to guess which strategy on the dominant partner at the deal, but Teller says that one possibility is for CN to take over the other system's operation, putting out the CP has already abandoned its Halifax line and to intend to cut its business ties with Seaboard. "In the long run," Teller contends, "it would be logical for CN to absorb CP because our operations are so much more extensive." Teller cautions, "The real question is, can we afford two uncompetitive, inefficient railroads, and if amalgamation isn't the answer, do we seek a North American solution, where in order to survive we large strategic alliances with American lines?" For CN, that would probably mean a joint arrangement with Canadian Pacific (PacifiCorp) in the East Coast or by the U.S. Commerce when Teller and his men have been in the job for 17 months, it has become highly successful, earning a 1992 net profit of \$200 million. In the West, CN would probably join forces with Barking Northern, the largest U.S. railway, headquartered at Fort Worth, Tex., or would have to be merged with the latter.

Canadian National was originally formed in 1923 out of some 400 bankrupt railroads that couldn't be squeezed without violating thousands of Canadians. They were built by crooked promoters who overvalued their projects, ignored the profits, and then abandoned them. But it was not to stop the operation through a series of mergers and acquisitions. At the time, Lord Ashburton, then publisher of The Montreal Star, predicted that the arrangement, showcasing that CN be merged to CP as a package for a freshly merged deal.

But, as the merger moves forward, but while a year or two, the rail will be the same—no it doesn't certainly end up with only one national railroad.

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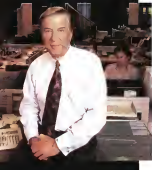
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# PRIME TIME WARS

The CBC is battered by budget cuts, chaos at the top and a row over the 9 p.m. news



**H**ere is the CBC news. "The place is more frenzied than I've ever seen it," says the voice on the phone, "and it's universal." Long pause, sound of breathing. "The reasons are terrible, and I don't know of any regional producer who's wanting an leaving job in three or four years. In fact, anybody I know is assuming that the CBC as we know it won't exist in five years." Sound of a lighter flicking, long drawn breath. "There is no moral center any more—but you didn't hear it from me." The words are those of an obscure office worker but of a former CBC senior executive. And because Ottawa keeps whacking away at the corporation's funding, because turning the nightly newscast down to 9 p.m. from 10 has costed three seasonal divisions and because no one knows how the CBC can even compete within an expanding galaxy of hundreds of TV channels—that in itself is a plenty of company. In an ego-driven, competitive organization where job descriptions, loyalties and lines of authority are constantly shifting, most will only speak anonymously. Must, but not all. "Is there the political will for the CBC to survive?" wonders former archbishop, Knoxville, N.S. "I don't know—but that's the real question."

For the publicly owned broadcasting system, 57 years old on Nov. 3, late middle age has become a nightmare in which there is more talk of disaster, harvest and sudden death than of the golden years that are supposed to follow. The federal government's relentless recession-driven search for savings and eight years of Tory handouts have strangled a network that the money supply and penny-well spent out the goodwill on Parliament Hill. In the agonizing cutbacks of the CBC's nine regions, where three stations have been closed and eight pared down, there is the plan to cancel that further cuts of \$250 million in the next three years will probably obliterate the survivors. The prospects are similarly bleak for the English TV network's more than \$100-million-a-year commercial revenues, some of agencies say the reorganized prime-time schedule is losing viewers while CTV has become a better window for sponsors. On top of all that, Gerard Vellieux, the CBC's 51-year-old, often-writhed president, suddenly announced on July 29 that he was quitting, effective Nov. 1. There are subtextual rumors that he will join the Quebec-based Power Corp., with which the CBC has negotiated a satellite deal to beam Canadian TV programs into the United States.

Prime Mandelstam is an occasion. "We got three acres here on a lake in the Gatineau Hills, a big cabin, a dock and a canoe. All the people on the lake have agreed not to have motorboats, which is nice."

"What lake?"

"Lake Beauport but don't tell anybody." The 45-year-old co-host of *Prime Time Live* (PTV) means privacy, not secrecy. But, given the siege mentality within the corporation, the request is more new living.

"There is no doubt that the guy is still out on the 9 o'clock time slot," says Mandelstam. "I really go back and forth on the question of returning to 10

o'clock. The danger is that we've alienated the audience that was there and we wouldn't be able to get it back."

He does not conceal his frustration over the ratings—a 1992-1993 average of 882,000 viewers compared with the 1,312,000 who tuned in to the CTV News at 11 p.m. "The hardest thing for those of us who have worked a hell of a long time for the corporation," he says, "is this offer being made. I, as somebody that we're number 2. That's really difficult to accept."

While Mandelstam has been the most visible face in the CBC for the past four years, it is Vellieux—among a cast of thousands—who has been the central figure in the network's ongoing drama. The son of an Atlantic, Que., miner, he was secretary to the federal Treasury Board when then Prime Minister Brian Mulroney appointed him president and chief executive officer of the CBC in October, 1989. At the same time, Mulroney divided the leadership, naming veteran TV journalist Patrick Watson to the new post of chairman of the CBC board of directors. But the Broadcasting Act did not provide for a chairman, and Watson had to cut his teeth for more than a year until Mulroney amended the law. By then, Vellieux had become the real boss and Watson found himself relegated to making speeches and hosting generic dinner parties where he presided the gospel of public broadcasting.

Vellieux, accustomed to the business discipline of the federal bureaucracy, was soon appalled by the unrestrained autonomy of the CBC and vowed to rein it in. He was generally mistaken, associates say. He too believed that only by drastically cutting it down could he give over the CBC to the free of aggressive change, and that the ranks had to be purged of people who, in his view, had become entrenched and were likely hostile.

Like most Ottawa mandarins, Vellieux looked upon the CBC's when



M. Vellieux and Watson, Robertson (opposite): looking forward to the rival CTV network

pointed political news coverage with distance and suspicion (and was not renowned for journalistic gusto), he agreed to an interview with *Maclean's* last week and then backed out at the last minute. Between June, 1991, and August, 1992, he eked out hours. First, he fired English TV network boss Denis Healey and delegated an intermediary to break the news. Then he shifted news and current affairs vice-president Truss to Queen to a lower position from which she sagged last July. With the board's endorsement, Vellieux next terminated *The National* and *The Journal*—made sustainable by the late Barbara Frum—to clear the way for a redefined prime-time schedule. ("Propositioning" was the buzzword) and hired longtime CTV news and information vice-president Tim Kretsch to succeed McQueen. Mark Steward, *The Journal's* mercurial but respected executive producer for 12 years, was given a new docu-



**The dramatic CBC special depicting the disastrous Canadian raid on the French coast in 1942**



...seemly not to keep his foot on (driving to CTV). Finally, Billy Altier, the 46-year-old chief of the CBC's parliamentary news bureau, resigned to join a consulting firm.

The water dripped off the mineral water and a host of loud and disruptive little dishes were being. "You didn't know it from me but Veilleux didn't like discussion and argument. Three years ago somebody tried to meet alone outside before they could be interviewed, and he was insistent beyond words. When CBC Radio ran a story last year about the new television schedule before the formal announcement, he was just full of rage. It was in his face. I don't think his career prepared him for controversy and criticism and I think he came to hate it in his job. But his rage made the CBC a very, very unhappy place and a very uncomfortable one for journalists."

Both inside and outside the CBC, critics make a laundry list of complaints about the switch to 9 o'clock—the fear of which is that the move is inconvenient for many viewers. And, said one broadcasting analyst, "what they didn't understand was that *The National* was a Canadian institution—on a comforting, warm, it was a trademark and represented a sense of occasion. Now, people are switching to *Newsnow* at 10:00 for their switching to CTV and David Robertson at 11."

Patrick Wylie, the former co-host of *Prime Time Live*, was hired away from CTV's early-morning *Canada AM* a year ago. Now 40, she has just

North of 60: trying to produce original Canadian shows

bought a house off Yonge Street in midtown Toronto and is living with new curtains. "A lot of people say they love the news at 9 o'clock," she notes, "but there has been a lot of resistance from viewers because old habits die hard. I'm not worried to 9 o'clock, but it's a dramatic change. I think it makes sense to me that people have an alternative."

"Who hired you?"

"I'm really not sure," she laughs. At moments like, she says, she talked with John Owen, who headed the task force that designed *Prime Time*



the dramatic CBC special depicting the disastrous Canadian raid on the French coast in 1942

News, English TV networks vice-president Ron Fries and Keithell, "but I don't know who made the decision." However, says Wylie, "I came because I did and I do believe in the CBC's mission and vision and I wanted to be in a place where they still produce journalism."

Another Toronto restaurant, this one with old 1950s-style booths, vinyl-covered seats, and jukebox-covered tables. Trust McQueen, a 1960 30 in white slacks and reinforced up the new vice-president and general manager of the proposed Discovery Channel Canada or demerol padding and a Diet Coke.

"I left the corporation because of the diminishing budget. I had come to the end of my ability to get people out at work, to start down programs, to avoid the people who were left. If the corporation takes another hit of \$500 to \$200 million, it will be the end of the CBC as we know it," Spoonful of padding. "That's not the central issue anyway. What we need to do is rethink the role of public broadcasting in Canada."

"What about doing the news at 9 o'clock?"

"I opposed it at the time, but *Prime Time News* went on the air with more of the development that any billion-dollar corporation would have put into a new product," she says. "It's really possible that CTV can end up to the point where it surpasses the accomplishments of *The National* and *The Journal*—if the people running it are given the time to make that happen. My big worry is that they won't be given the time."

"It was Veilleux's decision but there was nobody standing there saying, 'This is mine, let's not go to 9 o'clock,'" says the voice on the phone, muted and far away. "None of the people who are being hired now for their stunts in the past year said 9 p.m. was a bad decision. I never saw anybody stand up, including myself, to say, 'You don't do it—ever again.'"

The Keithell does not think that the move was crazy. At 55, he is a severely trained, rugged, rugged, he is trying to curbed the CBC's news and current affairs resources to beat his old enemies at CTV. He is undisturbed by reports that he has found the new design a lonely place with few supporters.

"It has been a turbulent year," he concedes. "Veilleux shook the place up and it needed to be shaken up because every place has to change, needs renewal. All I can do is what I do best, and I am certainly determined to make it work. And I don't think you can anticipate your success by your friends and enemies. I'm excited by this challenge and I hope that rules will be the people around me."

While it is too early to say that moving the news to 9 o'clock has worked, says Keithell, CTV is doing better than did *The National* and *The Journal* at this time last year. "We'll take a look at it in November."

**'The place is more demoralized than I've ever seen it, and it's universal'**

Since the people who buy TV commercial time have already looked, and their verdict is a cheerless one for the CBC. "I think the whole prize-line schedule has suffered from this move, because they lost the chance to get a higher audience at 9 o'clock with a better show," says Sean Fitzpatrick, group media director for the Calgary Herald Canada advertising agency. "They dropped the morning watching times and that cuts the shows that follow."

Now for the really bad news. "It has clearly made the argument that can change for ads," says Fitzpatrick, "so there is no doubt that they should rethink this move. The ads may keep getting worse. The proof is in the pudding, and the pudding tastes pretty bad."

Says Brian Pilczuk, chairman of the Canadian Advertising Foundation: "CBC has lost a sizable chunk of its audience. Advertisers really don't care that much about content, they are looking for the right audience. If you are a true mass marketer, like a beer or a soft drink company, you want to reach as many people as possible. That would make CTV the best bet." Adds Pilczuk: "Maybe they have to stop competing head-to-head with other networks and come out as a different one."

Another voice on the phone. "I don't want to be threatened with this but Veilleux was trying to show off further cuts by moving how often he was being in the CBC. We'd cut his re-

## THE PLAYERS

The network is a competitive place where the chain of command is always shifting



**GERARD VAILLEUX**

After four years at the helm, the president calls it quits



**PATRICK WATSON**

Picked as a publicist-maker, he now finds himself in the background



**IVAN FEGAN**

The English TV network chief says change has upset many employees



**TRINA MCQUEEN**

It had come to the end of my ability to get people out of my work

## 'Veilleux shook the place up and it needed to be—every place needs renewal'

years. And I had a significant number of people, in some instances, that were nervous about replacing this and that. Everybody got into a better about replacing for the 1990s. I believe made the move to 9 o'clock to save money, but it didn't cost me money because The National and The Journal were making a hell of a lot more money commercially."

Ivan Frenay was producing newscasts in Toronto's newly CTVTV when most people his age were still in college. He landed over at CBC, the CBC's regional Toronto station, which led to Los Angeles, where he spent two years with the entertainment side of NBC, and then returned the CBC in 1987.

Last Feb. 25, Veilleux put the hand driving from in Dennis Harvey's old job named in the English: newscaster. Just turned 40, Frenay is still just only as much "waking up and talking and getting and running his fingers—back and forth, back and forth—through graying, receding hair. His office in the CBC's new Broadcast Centre is 40 feet long, has a convenient white leather chandelier, a lot of smoked glass and stainless steel and 32 feet of windows that look like the bridge on the Q2.

"What were we trying to do is not to replace what is available from the private sector," he says. "It's not a lot of sense to have a lot of people with the private sector and use public money to do it." Back and forth "Up to this controversy over news, the cry was there's not enough drama, there's not enough news, there's not enough children's." He saves on the window at the common base of the CN Tower. "In the last few years we've replaced many of those things. Now we have the highest-rated drama series in the country. *Road to Avonlea*. *School Legal* had the new one just started in Alberta, North of 60." He sits down, gets up, walks to a circle. "Ask people if they want *Road to Avonlea* and they say, 'Oh, yeah, we want it.' But they don't reflect that if there's no CBC, there's no program. If the CBC goes, your favorite programs go. It's that simple."

On music: "In the places where change is new, people are scared and

skept and aren't sure what's going to fit and so."

On the unprecedented answer: "We're on the edge of another revolution. We'll see the marriage of computers and television screens and telephones and no one quite knows how anything is going to turn out. All around the world, people are asking what the purpose of the public broadcaster should be."

In a diversion after an under "On the job what is it for the CBC? They'll never admit they want to kill it, but if they keep cutting in this they have lost. But what is what they want to do here? What they have in mind is whether they want to build it up or tear it down. If they want to build it up, they'll find someone who can build that thing out. What's been done in journalism but it's been missing in action."

But Watson is not missing—he's wandering a pale of Chinese food, half shouting over the surrounding din and eating voraciously because, having lost a leg 20 years ago in a truck left from a ladder, he has just had a hip replacement.

"There was a strong sense right up until the end of the Mulroney regime," he says, "that there weren't very much public well, or political well, in general, broadcasting the kind of priority that it had always had. People were saying, 'Well, that's not surprising.' If it comes in as an issue between public broadcasting and health care, who do you think is going to get the priority?"



The Boys of St. Vincent: portraying sexual abuse

## PERKING UP PRIME TIME

Dances of comedy, some dollops of home-grown drama and documentary, a touch of Quebecois wit and sprinkling of U.S. sitcom—that is the CBC's fairly predictable recipe for spicing up the new TV season. The network remains wedded to its repositioning strategy, with the 9 p.m. one-hour Prime Time News sandwiched between an earlier, two-hour stretch of family-oriented shows and, after 10, a second bag of humor and drama. Only a few of the new additions—like Canadian drama or documentary specials—seem likely to shake up the small screen. Ivan Frenay, vice-president of the English television network, calls the new lineup a "refinement" of last year's innovations. The question is: will refinement be enough to lift CBC prime time out of its ratings doldrums?

Perhaps most striking is the comic relief. Having shown a commitment to domestic humor with the *Kids in the Hall* new entry in 1990 year, the network is introducing three new transports to laughter. On Comedy, stand-up jokes will put it up on the national screens. *Comedy* skits Jack Jones and Mary Walsh, along with fellow New Brunswicker Rick Mercer, will make national rounds on the body politic in *The Hour* and *22 Minutes*. And the veteran CBC Radio act Noel

Canadian Air. Frenay gets his own side-and-ty his house.

In domestic drama, the additions include two Quebec series, *Blanche*, the sequel to last year's *Émile*, and *Scènes de ménage*, about married life. *Scènes de ménage* is the most promising fiction of the season, however, as specials. *The Boys of St. Vincent*, a tale of sexual and physical abuse at a church-run orphanage, will likely be seen nationally in court.

A few current-affairs specials should also liven up the season. Tied in with the publication of *Shawn Tully's* memoirs is a five-part documentary on his life and impact. *National* journalist Guyvan Dyer hosts *The Mirror Race*, which looks at the environment. And *TVTV* poses no

less a question than how is television changing the world.

On the evidence of the CBC's five new American imports, a lot of TV has no interest in changing anything. The offerings include the adventures of a legless solitaire who becomes a cowboy (John of the Rib) and the angst of a 13-year-old girl (Blissful). Still, the network boasts that prime time will be more than 80 per cent Canadian. Now, the challenge is to translate Canadian content into viewer loyalty.

How great was the effect of traditional Tory loyalty to the government's broadcast of the CRTC?

"Substantially," replies Watson. "That's not as important as the party. But the key guys at the centre around the Prime Minister came to believe that the public broadcaster was the enemy so why keep paying him?" The last nighttime party at the round table began to dawn out Watson, and he has been forward.

"The board of directors was very much involved in the whole important thing, maybe more than a board should be. A board's there to make policy. This board is very close to getting its hands on management, saying let's do it this way and let's do it that way. They were all appointed by a Tory government, but they're not all Tory appointees—though probably the majority were. But their commitment to public broadcasting is very strong. Still, it weakens the board when the public considers it to be composed entirely of friends of the party in power. I think the process of appointments is ripe for change."

After leaving the CBC's English television network in the late 1970s and early 1980s and working for the *Journal*, Peter Henslow spent over years as publisher of *Toronto Life* magazine. Since January, 1989, he has been chairman of TVOntario, the provincially funded television service. He works in seedlings and, for him, self is a glow of truth.

"The internal battles at a broadcasting company matter so much because the consequences show up on the television screen. The differences in these battles are not just differences of personality; they are frequently differences of in strict differences of opinions, differences of philosophy, and they are very important." The effect is large and quiet and two TV executives looking at each other in the wall. The person at the CBC is a long way off.

He finishes his sandwich and flicks a crumb off his trousers. "One of the things the CBC is going to have to do over the course of the next few years, particularly as they find there are 50, 60, 70 channels to man-

age, is to go back to being more than a network. The CBC started as a movement, a movement that rallied across the country with people demanding a broadcast service that was how they felt their reality, and the CBC is going to have to go back to that, back to a time when it was essential in every major community in the country. It's more than just a television program or a radio program. It is a set of ideas and a lifestyle and an involvement with the country." That is the ideal, for Canada's mandated, multi-media broadcasting service, the reality is something else: declining budgets, declining hopes and discordant voices.



CBC's new Broadcast Centre in Toronto, glitters amid a late middle-age search for savings



# VIEWERS' CHOICE

**CTV was the big winner when CBC repositioned its nighttime news program**

With his sweater suits, deep voice and full head of silver hair, Lloyd Robertson is the very model of the network newscaster. Since 1975, when he became the anchor man at CTV News, Robertson has conveyed the day's headlines with a reassuring air of authority. "He is as comfortable as you can be comfortable with," says Henry Kowalski, CTV's chief news editor. K. on Kowalski suggests, the CBC tries to make its newscast a "thorough and sober journal of record," his show aspires to present the news in the language of a folksy frontier chat. At first glance, it seems that the success of CTV News stems from that formula. Canada's only national prime-time news show draws more than 1.3 million viewers to its 11 p.m. newscast, while CBC's *Prime Time Live* attracts 800,000 most weeks. But CTV's superiority may be due more to scheduling than to substance appeal. The private network saw its audience numbers soar by a stunning one-third last November after CBC moved its national news to 9 p.m. from the 10 p.m. time slot—and ended its 11 p.m. regional newscasts. "The CBC gave us a big boost," claims Kowalski. "But we were already riding up on them."

CTV and a smattering of regional networks appear to be the big winners from CBC's gamble to "repositioning" its schedule. Although 13 national newscasts tuned in to the multichannel News 2 debut of CBC's *Prime Time Live*, the network soon fell to well below the one-million mark. In contrast, the Nielsen ratings for CTV's 28-minute newscast jumped from about one million to 1.3 million viewers between October and November alone. Although the news tool in CBC's schedule cost at many of those viewers, industry observers say that CTV can claim credit for at least part of the gain. "It is not just CBC's desire that accounts for CTV's success," says Michael Nolan, an associate professor of journalism at the University of Western Ontario. "It has built up a fairly impressive reputation since it started in 1961."

But, faced with hundreds of channels on the broadcast horizon, CTV executives will have to do more than maintain that reputation. Not to cope with the onslaught of new viewing options, president

and CEO John Casagrande plans to build up the network's presence on the small screen. In addition to so-called multiplexing—clearing the same program on other CTV-owned channels at different times—the broadcaster is planning to bank its main news with specialty services. Executives intend to apply by September for a license to run a 24-hour headline news channel. (The Global Television Network is rumored to have similar plans.) CTV is also working on a proposal for a regional sports network. The goal is to muscle in on as much airtime as possible to expose the network's fare and offset fresh advertising dollars. "The converter is like a buffet table where people load up on things they are comfortable with," says Casagrande. "As you see more and more clutter, you get more and more accustomed to looking what you want."

Meanwhile, CTV hopes to cut the time that it devotes to Canadian drama. The network currently devotes three hours of prime time and one hour outside of prime time each week to domestic dramas. In a May application to renew its broadcast license for seven years, the network sought to cut two half-hour programs on *Saturday morning*, *The Latest Movie* and *My Secret Identity*. Casagrande argues that public broadcasters should have more of a responsibility to air Canadian drama. "I'd be raising the CBC. I would be focusing my children on drama," says Casagrande. "If you get a billion dollars of public money every year, you have a constant people that you are aware that just CTV to drive."

Like CBC, the private network is also moving away from traditional headline news. In November, CTV News added *Face to Face*, a debate, analysis, and *Goldblatt Fight Club*, an entertainment series hosted by Dale Goldblatt. At that time, the show also introduced regular health segments and *Insomniacs*. They did, two new segments are planned. *Prohibit*, consisting of anecdotes about dealing with the recession.



Robertson in CTV newscast: building a presence on the crowded small screen

and Aquino, an investigative critic. Says Casagrande: "You need a will to make changes to win in this environment."

Some television executives, however, contend that years of 24-hour nonstop in the expanded TV universe are largely overrated. "Another few thousand dollars you just mean another few thousand dollars of the deficit means," says Doug Brown, vice-president of public affairs and news at Global Television. But Casagrande is loath to give that the so-called dead stars and other technologies will have traditional networks associated. "If you are not producing a truly distinctive service," the CTV president says grimly, "you will be lost."



Gather: a baffling cluster of diseases that afflict thousands of Canadians

## SCIENCE

# A visionary search

*Doctors may soon solve glaucoma's mysteries*

During the late 1920s, Harold Dickson and his teenage son, Howard, went to an abating stage to look at their marksmanship on a day program. "I would light the birds, and then just as I was about to shoot, they would disappear," recalls Dickson, 83, a retired dentist from St. Thomas, Ont. The experience prompted Dickson to see an eye specialist.

The ophthalmologist diagnosed glaucoma, a disease that attacks the optic nerve and can cause progressive loss of vision. Following an eye operation during the 1930s, a hemorrhaging developed and Dickson lost the use of one eye; but the vision in his other eye deteriorated until Dickson became clinically blind. His son Howard, now 51 and an associate dean of research at Balliol's Dalhousie University, also has glaucoma, which was diagnosed when he was 25. So far, his condition has been effectively treated with eye medication and he has suffered no loss of vision. "I'm concerned," says Dickson. "But if things progress the way they are, I don't expect any major deterioration in my vision."

The Dicksons' experiences illustrate the importance of early diagnosis—and the strokes that have been made in treating glaucoma, a baffling cluster of diseases that are often inherited and afflict more than 124,000 Canadians. Glaucoma can take confusingly different forms, and sometimes starts that

they do not understand some of the basic mechanisms underlying the disease. Despite that, doctors using modern drugs and surgical techniques increasingly are able to save the vision of many glaucoma victims. Now, American and Canadian specialists may be paving the way for more effective early diagnosis and treatment of selective forms of glaucoma. By identifying the flawed gene, or genes,



that cause glaucoma, scientists say that they might someday even find a cure.

In September, a team of Ontario and Quebec specialists will travel to the village of Grande-Vallée, 500 km northwest of Quebec City, in the province's Gaspé region, to collect blood samples from members of an extended family in which glaucoma strikes frequently. The Gaspé-Quebec Glaucoma Research Society of Ontario is seeking to raise \$500,000 for the startup costs involved in

augmented genetic archival taken from the blood of family members and searching for telltale "markers" to determine exactly which gene is involved. AUS' team has already taken a lead in the same search. In May, University of Iowa scientists announced that they had isolated a gene material from a large family in the American Midwest with a high incidence of glaucoma; they had established a link between the first chromosome and the disease in that family. Edwin Stone, the ophthalmologist and molecular biologist in charge of the Iowa team, says that researchers will now try to pin down the precise gene responsible for the family's glaucoma.

The Canadian team plans to begin its search by examining the same region of the first chromosome in its study of the Gaspé family. But it may turn out that more forms of glaucoma are related to different genes. Brenda Galle, a Toronto nuclear geneticist who is helping to coordinate research into the Quebec family, says, "The different kinds of glaucoma, the different degrees of severity and different ages at onset, suggest that there could be as many as 10 genetic mutations involved, and they could be on different genes."

Though the causes may be different, the problem in most glaucoma cases is the same: it begins with the fluid inside the eyeball, that nourishes and protects the optical system. Normally, excess fluid drains through a grid of tissue at the front of the eye known as the trabecular meshwork. Sometimes, the meshwork becomes blocked and increased fluid pressure begins to exert force on the optic nerve, damaging it in the process.

For many glaucoma patients, drugs administered as eye drops can keep fluid pressure within safe bounds. But the most effective family of drugs is the so-called beta-blockers, which were used originally to control high blood pressure. When taken by glaucoma patients, beta-blockers help reduce the production of fluid inside the eye. When drugs no longer work, doctors often resort to surgery to stretch and reopen the drainage system, and, as a last resort, perform eye surgery to cut a new drainage system.

Despite the rapid progress in treating glaucoma, early diagnosis remains crucial. According to Graham Tugwell, chairman of the University of Toronto's department of ophthalmology, by the time some victims begin losing their vision and see a doctor, "about 50 per cent of the optic nerve will have been destroyed." Once significant damage is done to the optic nerve, the chances of regaining improved vision and even curing the disease may be possible. But "the first question," adds Tugwell, "will be in simple genetic tests to determine which members of families with a history of glaucoma have inherited the disease. With that knowledge, patients will select the good chance of remaining free from the disease course of a potentially devastating disease."

MARIE NICHOLS



Photo in action against Sacramento, a desperate effort to score a way of life

## SPORTS

# Slow death in the sun

The CFL story has grown old in a hurry

Sports fans in Sacramento, Calif., have had nearly half a season to get used to their new football team: the Gold Miners of the Canadian Football League. Most fans of the Sacramento Football League, however, asked Sacramento's first CFL game in August 1994. The rough was better. It's not easy to favor a hometown team over a team you have never heard of before. It's no fun to crush the representatives of a city you can't even find on a map. Sacramento and Hamilton was 40 minutes from Toronto. Was that ok, depicted as the Canada?

The Canadian said a would be easy. They had.

They liked about the advantage of a realistic competition policy, about the benefits of not having to leave California on our team. They liked about the expected game's dramatic nature, about the significance of small and small to increase interest. They came to Sacramento and lived with hope.

They made an outlook.

The Sacramento Gold Miners were supposed to make an immediate impact on the CFL, tapping the competitive balance (lower salaries) while saving the league from a slow death. It had not worked out that way.

Seven weeks passed before the Miners finally dominated an opponent. After falling to the bottom of the standings with a 3-6 record, the Miners defeated the Hamilton Tiger-Cats 40-10 in Sacramento on Aug. 14. Yet the rough was better. It's not easy to favor a hometown team over a team you have never heard of before. It's no fun to crush the representatives of a city you can't even find on a map. Sacramento and Hamilton was 40 minutes from Toronto. Was that ok, depicted as the Canada?

She presents a dilemma to the Gold Miners' owner, Fred Anderson, 68, who made his fortune selling lumber and building materials, but now threatens to surrender his grandchildren's inheritance as Canadian football. Anderson and CFL commissioner Larry Smith have done their best to grant the international significance of Sacramento's presence in a foreign institution. But all the talk about the Canadian game's century of accomplishment cannot make California

more. The strike in Sacramento runs this way: if a quarterback falls in a football, Columbia Island, and no one with a ten better it, did it really happen? Anderson, however, barely notices on. "This is a training year for us," he says.

The Gold Miners generated much local goodwill with their birth announcement. Rags and hoped loss turned out in force to boost the team's start at personal fatigue parties. But the story has grown old in a hurry. Anderson's biggest obstacle is the perception that the CFL is a loss league. It does not help that the real thing that supports the team at the team's home park, Home Field, to break every day a bright train runs just behind the stands. And although the California capital boasts only one big-league team—the home of the National Basketball Association—it has big-league status. San Francisco and its attractions are only 80 miles down the freeway. The San Francisco office will move into 10 percent of their season tickets to Sacramento—people who would rather drive two hours to see the Dallas Cowboys than 30 minutes to see the Winnipeg Blue Bombers.

That, along with a dearth of recognizable players, has hurt attendance. Calgary quarterback Doug Flutie is the only CFL player with significant on-air recognition, and the Gold Miners were unable to sell out for Flutie's lone appearance. The Gold Miners have learned that opponents called Tiger-Cats, Edmonton, Saskatchewan, and Saskatchewan are not well known. Neither does the team's Sacramento that they are part of a desperate experiment to save a Canadian way of life. Meanwhile, Sacramento averaged more than 242 years without the CFL. While the team claims an average attendance of 17,822, just slightly above the average about 12,800. The stadium holds 25,500.

Winning football games would be the ideal way to salvage the season-long loss. But that has proved difficult. Their status as the only American team makes the Gold Miners prime targets for the newspapers' CFL clubs. And while opponents credit their calendar for their date with the league member, the most releases in grasp the significance of it. This then is the nature of how the Gold Miners actually play the game. "The appearance of a single football is a weekly event," said Gold Miners' owner, Fred Anderson. "The only way we're going to succeed is to block, run, pass and win by playing basketball football. If we can't master the fundamentals, we're out of luck."

So direct sport Sacramento is not responsible for the league's fate. But respect us in terms how to spend Sacramento. Our situation says at least and powered by results. If we can't beat you, we will ignore you. ©

## OBITUARY

# Close-ups of the heart

Francis Mankiewicz left a rich film legacy

Last March, film-maker Francis Mankiewicz travelled to Toronto from his home in Montreal to accept a Best Director Gemini Award, for the TV drama *Conspiracy of Silence*. The previous Christmas, he had almost died from the same cancer that was ravaging his body. Weak and frail, almost unrecognizable, he sat with his head and hair gone from chemotherapy, he gathered up the energy of his old self and beamed onto the stage when his name was announced. Mankiewicz began his speech by describing his role in the production, which chronicles the 1971 murder of 39-year-old Cree Helen Betty Osborne in The Pas, Man. He deflected the praise to writer Suzette Gentile, producer Bernard Zakheim, and the actors. Friends and colleagues recall that it was typical of Mankiewicz to be so self-effacing. And with his death on Aug. 14, at the age of 63, they mourn the passing of one of Canada's leading film and TV talents. "He was so real for everyone," says Zakheim. "He was totally in the height of his creative powers. You just knew that he had so many wonderful projects left in him."

Although his output was relatively small, Mankiewicz left an indelible mark on the country's cultural history. Comfortable working in both English and French, he first made his mark at the National Film Board with *La tendresse* (Love's Labor Lost), a film about a young couple (Shirley Jones and Charles Bronson) in 1952, when he was only 28. It tells the story of three men and a boy on a fishing expedition, and displays what were to become Mankiewicz's trademarks: an ability to draw on powerful, sensitive performances from his actors, and a familiarity with children's point of view.

These talents reached their full flowering in the transformation from *La tendresse* (Good-bye, which was considered to be a masterpiece) to *Love's Labor Lost* in 1958, if it is a little bit of passion and passion between a mother and her 15-year-old daughter. More recently, Mankiewicz was removed—and made important breakthrough—as a director of television drama *Love and Hate: The Story of Celine and John Thibault* (1988), captured three Gemini

Awards and won the U.S. network program to be sold to a major U.S. network. When it aired on NBC, it was the largest show that week. *Conspiracy of Silence* (1991) also won the Gemini, then went on to draw a US audience of 34 million over two nights.

The film-maker was born in Shanghai, a



Mankiewicz's fight on the set of *Love and Hate* with cinematographer Vir Soriano among Canada's best directors

1944. His father had been one of the youngest judges in Germany when he wrote a book denouncing the Nazis. He and his physician wife were forced to flee to France, then China, where Mankiewicz was well known. The family moved to Los Angeles, where his father's second career was key players in the movie industry: writer-director Joseph L. Mankiewicz (*On the Beach*) and his brother, screenwriter

Harrison Mankiewicz (Giant). But the family disliked California, settling instead in Montreal, where Francis grew up. He attended French schools and, despite becoming fluent in English as well, thought of himself as a Quebecois.

After studying geology at the University of Montreal, Mankiewicz switched to his real passion. In 1956, he enrolled at the London School of Film Technique. Back to Montreal three years later, he began building his career in the industry, directing educational films and television dramas in between lectures. The 1960s saw TV series *And Then There Were the Harem* and a *Medical Modeller*, who was his first collaboration with Zakheim, who served as producer. "It was a real revelation for me," says Zakheim, and then a documentary film-maker who had listed her name stars about prison told directors on the drama film. "It was a great year who never lost his temper, who was just totally content on a project, polite to everyone. He just gave us a tremendous energy on set and as a result there was a calmness at the centre of the production."

In 1988, Mankiewicz made his last feature, *Les Perles Noires* (*The Revolving Door*), a family saga about a dying French-Canadian man. It stars Mankiewicz's own cousin, Maurice Spieser, who continued to be so close to him up until his death. He had two sons (one from an earlier marriage). After that movie, Mankiewicz worked exclusively in English television, helping to usher in a new era of excellence. *Conspiracy*, who scripted *Love and Hate* and *Conspiracy of Silence*, says that she was "amazed" by Mankiewicz's insistence on psychological depth. "Most people look at the world and make massive assumptions, and Francis was a person who did not assume anything, who questioned absolutely everything," she recalls. "And that had to do with looking at human life and humanity with a tremendous amount of insight. I think that's why he was great, one of the great directors, a real part in Canada, but the world."

Mankiewicz's enormous success in TV came with a certain sadness. He was disappointed that his careers in film and television were seen as separate, and that many filmmakers and producers did not know his work in the other language. Then, while completing *Conspiracy of Silence*, he was diagnosed with cancer. "He fought it unrelentingly," says Zakheim, who kept in close contact. "There was never any feeling sorry, or 'Wig me' was not equality. He was a calmness at the center of his life, always."

CELINA HELM

# Dublin soul

*The lives are tough, the language is rough*

Salisbury and reserved, Roddy Doyle is still grasping with literary celebrity. This spring, when the Irish author was invited to the Cannes film festival for the premiere of *The Snapper*, based on his 1986 novel and scripted by him, he declared: "Two nerve-racking microphones in your face and that," Doyle told Marlowe recently, noting that he would have gone only if he could "tear up against a wall and wretch." Besides, Doyle pointed out, school had not yet ended—he was in his 14th year of teaching at Dublin's Greendale Community School. "I couldn't see myself adding into the principal's office," he said wearily, "and adding for time all to go back home to the south of France." Doyle no longer has to face such obstacles. He resigned at the end of the semester—June 4, 1993, half 12—to devote himself full time to writing. And when he came to Toronto recently to promote his fourth novel, *Paddy Clarke Ha Ha Ha*, he deplored that he can perform with the aplomb of a seasoned actor. Before 425 fans at the Irish Canadian Centre, he read a scene from *Paddy Clarke Ha Ha Ha* in which the 10-year-old protagonist and his friends are going a cock hunt for a dead cat. They hold their fires to their mouths and make trumpet sounds—which Doyle acted out. "I feel like a right gobshite," does that," he confided to his listeners. They roared.

The second of four children of a printer and a housewife, Doyle has created a literary landmark with his fictional Barrytown, a working-class area of his native Dublin. His first three novels, known as the Barrytown trilogy, centre on the Rabbits, a family of eight whose lives are a mixture of hard care, depressing poverty and domestic chaos. The first, *The Commitments* (1987), tells the raucous story of a group of Irishmen, led-headed teenagers who form a "Dublin Sea" band that performs black Malcom music. A movie version, with a screenplay by Doyle and directed



Doyle, creating a literary landmark with his raucous tales of working-class life in fictional Barrytown

by American Alan Parker, became one of the surprise hits of 1991.

The saga continues with *The Snapper*, a grimy hilarious account of unmarried Sharon Rabbits's unexpected pregnancy. The film version, directed by Britain's Stephen Frears, will be a gala presentation at Toronto's Festival of Festivals next month. Doyle also recently completed the screenplay for his 1991 novel *The Van*, which was shortlisted for Britain's Booker Prize, and will co-produce the movie version.

It has been a handy six years since Doyle and a friend formed a company called King Pigeon to publish *The Commitments* (they dissolved it the next year, when a British

publisher picked up the book). "I still don't feel hard to believe that there are Japanese and Czech versions of *The Snapper*," Doyle mused. "I don't actually know anyone who reads Japanese well enough to know if it's a good translation."

Any translator would have a daunting job with Doyle's work. Written almost entirely in dialogue, the books are full of inimitable slang, colloquialisms, vulgarity and cursing that is so refined and charged that it is almost musical. Expressions like "I—[f] no-ju," "shut it," "yeh bodan" and "vase" (the second interlocutor) turn up on almost every page. But, in fact, the final language is so eloquently precise that it can be regarded as highly refined. And it does not obscure the affection, among the Rabbits, despite the unemployment, poverty, alcohol abuse and limited social mobility that beset them. They embody their own brand of family values.

Paddy Clarke Ha Ha Ha (Good Books Canada, \$24.95) is also set in Barrytown, but it depicts radically in style and tone from his previous works. Told from the point of view of 10-year-old Paddy, it depicts his daily life as a round of mock and real fights, school lessons, garbled religious teachings, adult games and thoughts about new ways to torment his younger brother, Shado. Underlying the whimsy in the increasing tension between his mother and father, which gives the novel a melancholy flavor as it moves to words do and but inevitable only chosen. While the book is not autobiographical, its emotional exuberance, Doyle says, came from the birth of Rory, 25, the first of his two sons with his wife, Belinda. "It just opened up the floodgates of my own past," he explained. And referring to the book's strange sense of place, he said, "It's not my life, but it's my geography."

In the past, Doyle's unvarnished portrayal of working-class Ireland has garnered as much censure as praise in his native country. "I've been criticised for the bad language in my books—that I've given a bad image of the country," said Doyle. "There's always a subtle pressure to present a good image, and it's always somebody else's definition of what is good." The author's own view is that his job is simply to describe things and people as they really are. And in Doyle's world, the lives are tough, the language is rough—and beauty and tenderness survive amid the bleakness. As Jimmy Rabbitte would say: "Fair play to 'em."

DAVID THORNE

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## BOOKS

### Captive boyhood

*A man recalls his time  
in a POW camp in Java*

THE VOY OF A BOY  
By Ernest Hillen  
(Penguin: 200 pages, \$25.95)

Some childhood events cast a shadow so long that they dominate an entire life. In 1940, when Ernest Hillen was seven, he and his family—they lived on a Dutch colonial plantation in Java—were put in a prisoner-of-war camp by the Japanese. Now 50, Hillen, an editor at *Saturday Night* magazine in Toronto, has distilled his many years of contemplating their ordeal into a graceful and moving memoir called *The Voyage of a Boy*. Hillen's account describes some extremes of human nature, from arrogant cruelty to great bravery and kindness. And it does so in a deceptively simple style that manages to cast long a boy's name over the wisdom of adult hindsight.

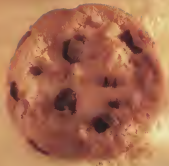
When the book opens, Hillen's father had already been placed in a camp. The Japanese then took Ernest, his older brother, Jerry, and their mother to a camp for women and children—the first of several they would occupy until 1945. For the boys, imprisonment was always something of an adventure, thanks to the amazing spirit of their mother, a Canadian who in the quiet hero of the story. She managed to create a "house" even in the most private space the Japanese allowed them; she would put up pictures, celebrate birthdays and generally cheer her sons even though she was often exhausted from forced labor.

Hunger was a constant enemy. And the girls were ready to punish the slightest sign of disrespect. One of Hillen's best memories concerns a family threat, Zerkie Cross, a witty woman who broke the rules by keeping a picture of her husband. An enraged guard beat her severely about the head, all the while standing on a mattress, because he was too short to reach her otherwise. In the end, writes Hillen, the guard went off exhausted, and only then did Cross allow herself to collapse.

The *Voy of a Boy* is full of such stories. Much more than a record of unusual events, it shows how, in matters of survival, the courageous refused to abandon the heart's aliveness and make all the difference.

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## JUSTICE

# Homeward bound

*An appeal court chooses nurture over nature*

**D**avid James Tronzo, a toddler who will turn 2 in December, has spent at best a few days of his life in a comfortable and orderly middle-class home in Victoria, B.C. His adoptive parents, James, 47, and Patsy, 46, have shared their love with David and introduced him to classical music and hiking. But for several months, David has been at the centre of a custody battle that threatened to disrupt the tranquility of his young life. In June, the B.C. Supreme Court ordered the Tronzos to return David to his natural mother, Cecilia Bowen, a 36-year-old native woman who lives near a Cree Indian reserve at Colville Lake, Alta. 400 km northwest of Edmonton. But last week, after a dramatic and costly legal struggle, the B.C. Court of Appeal ruled that David should remain with the Tronzos to avoid the uncertainty and trauma of trying to establish a parental bond with his natural mother. "We're jubilant," exclaimed James Tronzo. "We're very, very glad that this is behind us."

As the Tronzos celebrated, a distraught Bowen returned to Alberta where, according to her legal advisors, she was considering whether to take her case to the Court of Canada. The legal fight over David Tronzo reflected the intense and conflicting emotions created by such cases and highlighted a growing debate over what is really in the best interests of his children. According to experts, while Canadian courts give full consideration to the legal rights of biological parents, they tend to emphasize the child's physical, psychological and emotional welfare. And based on these criteria, the adoptive parents generally win out. Said Michael Sobel, a professor of child clinical psychology at the University of Guelph: "Whenever a child is removed from a secure relationship, the child can go through a period of severe difficulty."

While the B.C. courts were deciding David Tronzo's future, two highly publicized custody disputes were played out in the United States. In early August, an

Iowa court ordered Jan and Roberta DeLoer of Ann Arbor, Mich., to return their 27-year-old daughter, Jessica, to her natural parents, the decision led to a heartwarming scene as the crying child was taken from the DeLoers. And last week, a Florida court sided with 14-year-old Kimberly Bryant, who had been separated from her natural parents at birth. The courts



David and the Tronzos: "very glad this is behind us"

ruling gave her the right to sever all ties with them and remain with her adoptive family.

For David Tronzo, the B.C. Court of Appeal may have finally ended the uncertainty that has swirled around him since his birth on Dec. 3, 1990. Bowen, who had said a bad relationship with a

non-committal, non-venturing

adoptive man, met him

when she had the child

she called Jordan Stagle

and a Grade 10 dropout,

she turned her son over

to Alberta Family and

Social Services, one

month later and in early

February, 1990, signed

the consent forms allow-

ing the Tronzos to adopt

him. According to evi-

dence presented at the

custody trial before the

B.C. Supreme Court,

Bowen contacted a fam-

ily and social services

worker six days after

giving up her son and said that she wanted him back. But the agency never received written notification, as required by law. With the backing of the Woodland Cree Band Council at Colville Lake, which believed that the child should be raised in a native culture, Bowen began legal proceedings late last year to regain custody of the boy.

The Tronzos, meanwhile, were determined to keep the child they called David. His arrival completed the family they had dreamed of and proved for once again they wanted in 1978. Five Tronzos could not give progress because of serious genetic injuries she suffered in an accident when she was at her mother's. In June, 1988, the Tronzos adopted their first child, a girl they named Heidi, now 9. But they also wanted a boy and were delighted when they learned that David was available. James Tronzo said that the instant they adopted his became a happy, healthy toddler who is walking and learning to talk. "He is an exceptional boy," said Tronzo. "We think he's terrific."

The Tronzos have spent \$20,000—and how they did the law—to defend their right to keep David. On June 19, after a three-day trial, B.C. Supreme Court Justice Allen McIvor ordered the Tronzos to return David to his natural mother, in part so that he could be raised in a native culture. However, Patsy Tronzo fled to an undisclosed location. She returned on June 24 and was the right to keep the child while the case was under appeal. The court's ruling last week gave the Tronzos peace of mind outside. Madam Justice Patricia Prescott, who wrote the decision, concluded that "the welfare of the child is the paramount concern." She added that to remove David from the Tronzos would "destroy the family bonds that have been established between the child and the adoptive parents."

Breaking these bonds can have serious and sometimes tragic consequences, experts say. Psychologist Sobel said that a child ripped from the only family he or she has known can become depressed and withdrawn, and require prolonged counselling. Sobel is co-author of a report, published recently by Health and Welfare Canada, that recommends a re-examination of the rights of both birth and adoptive parents. Under the proposed guidelines, biological parents could have the right to visit a child who had been adopted by another family. Birth parents may give up their children, the authors conclude, but many can never relinquish the desire to see them and care for them. And those powerful emotions, poured out in courtroom after courtroom, are what make decisions on the fate of children like little David Tronzo so weighty—and so wrenching.

DARYL JENSEN and TOM PENNELL

# Deny, deny, deny

Ernst Zundel is back in action—and on TV

It has the look of a latter-day *Bonanza*. *Interiors* "roughdown" grille cover the windows; video cameras peer down from the roof; a heavy metal trap door, painted bright red, leads into the basement. Visitors are invited across to Ernst Zundel's bunker on an otherwise nondescript downtown Toronto street (pass first into a waiting area, stacked with posters—"Holocaust: the thought police in control!" Inside the second door, into a row of video terminals awaiting the holding). In one room is a snappy machine where Zundel has rung up \$188,000 worth of postal charges sending pamphlets and newsletters around the world. In another room are bookshelves stacked floor-to-ceiling with files—Zundel's arsenal in his campaign to disprove the Holocaust. And leaning against a wall is a large wooden cross that Zundel once carried on his way to court to force charges of knowingly spreading false news. "That's the best thing I did," says a smiling Zundel. "It's important. It made the front pages of every Canadian newspaper."

A prior affair: the Supreme Court of Canada struck down a section of the Criminal Code that prohibited the publication of false news and so overturned Zundel's conviction, the 56-year-old German-born publisher is back in action—well, maintaining his critics. He has published a 560-page condemnation of evidence presented at his trial, in clothing the pamphlet that provoked the initial charges against him. Did *Die Welt* really die? And he has started shortening on-air programs broadcast from the United States in English and in German—the latter aimed at Germany, where Zundel has a growing following of right-wing extremists. He also launched a TV show, beamed from the United States to a satellite and disseminated to anyone with a receiving dish across North America. Last week, *Shoemaker America*, the Colorado-based network that broadcast his first program, decided to pull Zundel's show according to programming director Chare Murray. Zundel said that he has plenty of alternatives—and has already signed a contract with another network starting this week.

Jewish leaders say that Zundel is harmful and dangerous, and they have asked police to investigate whether he is contravening

Section 318 (2) of the Criminal Code, which prohibits the public promotion of hatred—the law, they say, under which Zundel should have been charged the first time around. "This stuff is garbage and it's disgusting—the racism impact is huge," said Justice Schwartz, Ontario director of the League for Human Rights of Great Britain Canada. "Zundel is an actor in the neo-Nazi white supremacist



Zundel at home: Jewish leaders want police to investigate

movement in Canada. They regarded the overturning of the false news law as a great victory."

In his first TV show, aired on June 30, Zundel said that he wanted to change the image North Americans have of Germany by featuring such Germans as the "heroic" Rudolf Hess—the Hitler deputy and captured war criminal. And he promised to provide a "revisionist" perspective on the Second World War. He is, a program that aired July 25 showed Zundel visiting the Auschwitz death camp with a man he identifies as David Cole. "a young Jew from the United States." On the video, Cole claims that buildings at Auschwitz were renovated after liberation to make them look like gas chambers.

Cole also points to a swimming pool that he claims was "clearly an area for the inmates' enjoyment."

Dennis Farber, annual director of community relations for the Canadian Jewish Congress, says that Cole's allegations are typical of Holocaust deniers who use a grain of truth (most of the original gas chambers at Auschwitz were obliterated after the war and recreated by Polish authorities) "and build a lie around it." Added Farber: "Holocaust denial is the cutting edge of modern-day anti-Semitism. We believe it is also squarely within the definition of hate propaganda." While not mentioning Zundel specifically, Ontario Deputy Attorney General George Thompson said that if solid evidence is produced, the province will take action against hate crimes. And although *Bonanza* shows are transmitted from the United States, Mark

Sudler, senior legal counsel to the League for Human Rights, says that they could well be subject to Canadian hate law. "Solid border." There may be a Canadian linkage through the fact that the shows are either produced or filmed here.

In an interview in the basement of his home, Zundel said that some of the TV programs are inflected down in Toronto, that he directed his right to broadcast. "I am not hateful," insisted Zundel, surrounded by posters of German soldiers and a framed picture of Adolf Hitler. And although he remained his classically and unrelentingly debauched—that there were no Nazi gas chambers or death camps, he argued that "Holocaust denial is not just Sebastian's it's just being a historical event."

More Toronto police would not say last week whether Zundel is under investigation. But Det. Staff Sgt. Robert Matthews, who is in charge of the Ontario Provincial Police's pornography and hate materials section, said that he investigated Holocaust deniers, that Zundel made no such last year, but that they were

well liked. "Mr. Zundel is very knowledgeable about what he can say," Matthews said.

These rules may yet change. Federal and provincial justice officials will deal with hate crime issues at a meeting in the fall. Paul Saint Denis, a writer counsel in the federal justice department, said that public concern, and the Supreme Court decision that led to the overturning of Zundel's conviction, may lead to the broadening of the law. Saint Denis says: "We want to examine what needs to be done to control these types of people." In the meantime, the Zundel show goes on.

MARY McEHEEN and TON FENNELL  
in Toronto

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## LIFESTYLES

# The Kennedy clan

JFK's murder still draws conspiracy buffs

Two researchers into the assassination of John F. Kennedy are chatting with a reporter before a symposium on conspiracy theories. When the reporter admits that he is attending the Suffolk conference in place of someone who was supposed to be there, one researcher turns conspiratorially to the other and says, "He was probably sent to Antarctica." The other nearly collapses in laughter. Steeped in assassination lore, the researchers know that the man in charge of security for Kennedy's ill-fated visit to Dallas in November 1963, had been sent to Antarctica at the last minute. It was a joke, Gerry?

The 300 symposium delegates certainly would. They came from near and far, depending on Suffolk's Laurence University life last week, intent on discussing who really killed Kennedy that day in Dallas, and what was behind it, and why. They do not buy the Warren Commission's official expla-

nation—that Lee Harvey Oswald acted alone. But their pursuit is not easy. Most official documents have been kept secret until recently, but week, the CIA announced that it would release another 30,000 pages—less than 30 per cent of what it has. And while both were lauded by the 1991 movie JFK which depicts a wife-raising conspiracy—and polls showing that 86 per cent of Americans suspect a plot as well—they are still treated with the respect accorded those who claim to have seen Elvis aboard a UFO.

But for them, the seekers are a small price for seeking the truth. Don Scott, 65, a former Suffolk teacher who organized the symposium, says that he finds the JFK case endlessly fascinating. "The more you learn,

the more there is to learn," he says. It is also something to do. "I used to play golf and curl in basements," says Tony Costa, a retired shop teacher from Richmond Hill. Out "Now, I do this."

The conference coup was Oswald's widow, now Marina Porter, who flew up from Fort Worth, Tex., where she lives with her current husband. When Porter, 53, arrived at Laurence's Ashmore Raymond Building, she was led through the foyer where a recording of Walter Cronkite intoned, "The President has been shot."

And just a few weeks earlier, a model of Dallas's Dealey Plaza, with multicolored strands of wool denoting the path of bullets. "Hell, I never expected to ever meet Marina," said Costa. "This is unbelievable." Walking through the crowd, Porter admitted that she is uncomfortable at meetings of assassination scholars. Yet, Scott said, she demanded no appearance fee. "I'm not doing this to help myself," Porter said to her audience.

Business as usual. "This issue is much bigger than just me. This business should have been resolved 20 years ago."

Few of the delegates have anything but sincere credentialed in conspiracy busting. Marina Shackelford, who drove up from her home in Saginaw, Mich., is a social worker



Oswald's widow: coup



From the movie JFK, the assassination scene in Dallas's Dealey Plaza: "The more you learn, the more there is to learn"

who collects photographic and film evidence. Peter Whitney, who flew in from Albans, B.C., is a social studies teacher. But others, such as John Newton, a liaison to the Ontario M.I., have brought intense scholarship to the subject. Newton, a nurse in U.S. army intelligence, is the author of JFK and Vietnam, which draws a link between Kennedy's death and his supposed plan to withdraw U.S. troops from Vietnam. "It's debatable whether he was killed to en-

able the United States to get into the war," said Newton. "But it seems clear that we only went to war because he died."

For some, the trip was personal. Beverly Oliver, 45, was a high school senior who, in 1963, worked at the Dallas nightclub owned by Jack Ruby, who would later gun down Oswald. And she was filming the presidential motorcade on a home movie camera when Kennedy was shot. But Secret Service agents confiscated her film, she says, and

the Warren Commission did not ask her to testify. So when she heard about the Suffolk symposium, she and her husband and daughter joined up their 36-foot motor home and drove up from west Texas. "I want my story to be recorded accurately," Oliver said, and not played with to fit somebody's assassination theory. "If he could, Kennedy himself might say the same thing."

JAMES DELMON in Suffolk



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## Winning big-time at the turnstile

BY ALLAN FOTHERINGHAM

The other night the Toronto Argonauts, who were Grey Cup champions just two years ago, fumbled and stumbled away another football game in the SkyDome. The previous game that is the wonder of sport. There were, perhaps 15,000 lovely spectators in the stands, probably the lowest total in the Canadian Football League this season.

This is only natural, since the football who run the league have decided to kill it by moving it to the United States. There will be a team in Las Vegas next year. (The name of the team will be the Gun-Jamed Raiders.) When in Las Vegas plays the Sacramento Gold Miners, in the Grey Cup for the championship of all Canada, we will have achieved Brian Mulroney's dream—the logical extension of free trade.

While the football people cannot suicide by trying to take Canada to the United States, the baseball people are doing the opposite: taking America to Canada. The most successful franchise in the major leagues is the Toronto Blue Jays—who represent that have nothing to do with baseball.

Consider the factors. The SkyDome with its flying roof of course cost hundreds of millions more than its corporate builders promised. Who got stuck with the bill? Naturally the Ontario taxpayers. The argument who designed the convertible stadium can't get paid because of all the lawsuits and a near bankruptcy, a bitter loss.

Meanwhile, the blue people who own the club are making no losses in the past is sold out every game. More bodies are in the seats than in the much larger stadiums in New York, Los Angeles, or Chicago. The Blue Jays last season broke baseball's record for total attendance.

How come? Because of marketing and something called the cheerleader bus. Never have so many people who know nothing about baseball seen a baseball game. It is the latest club game in existence. The other clubs watch in awe and wonder, agreeing to better game in frustration.

The Blue Jays front office has taken a nice



ag closer to a map of southern Ontario. There hasn't been a tailoring club or golf club since the 1950s. The argument who designed the convertible stadium can't get paid because of all the lawsuits and a near bankruptcy, a bitter loss.

At every game the giant screen in centre field orders welcome and thanks to the Top of the Order of the Elk from Wawa, the Pine Trees Association of Pelly, Alaska, the Gull Makers Guild of Orillia, the Barabachers League of Maribon, the Keweenaw-Kawee Band of Kachemak-Witrolo.

The last runs on endlessly, reflecting the squanders of losses that have headed into Toronto for the evening. Or that should be, part of the evening. Winning sportsmen's title. But there are two times that dispassionate spectators at the SkyDome. They arrive late and leave early.

It doesn't really matter when they get

there—second inning or third inning—because they're not there to see the baseball. They're there to see the SkyDome, so they can tell Aunt Mirilla about it next day.

Come the eighth inning, a night 200 pack my bottle and the stands begin to empty. They've got to get in the bus so they can get home in Niagara by midnight. Get in the bus for the cars at dawn in the morning. This is the first instance in sports history where Borne is responsible for missing the game-winning home in the bottom of the ninth.

Because of Borne's prior demands—it doesn't matter, since the Legal Order of Justice from Stanley Creek will be in the next night—it enables the rich, rich Blue Jays to play tennis millionaire in search of the latest permits a between our bus.

This row is the speedy necessary Ricky Henderson who shops himself around the circuit like one of Linda's piths in Hollywood, who has agreed to come to the Blue Jays in the last two months of the season in hopes of getting a World Series ring, everyone knowing—best of all, the answer—that he will be elsewhere next spring.

No more a Lou Gehrig, playing an entire career with his beloved (ie. pre-Stein) Yankees. No more a Carl Yastrzemski, so old-fashioned as to stick with the Boston Red Sox through his life on the diamond.

The Brewery Jays because they are rich as baseball has been a David now for two boys in getting them to a World Series. They don't own him, they don't employ him, they only hire him for a few months. But a guy would have to be a genius to get them to a World Series. Dave Winfield is hired for one year, disposed of for the next.

This new form of baseball—losing a body as you lose all those bases—confusion and frustration all the American clubs which are situated on natural ground where baseball has its origins in the population the same way bodies in a basketball game. They have to fill their pants with people who actually know the inside rule, what a talent scout is and why Al Garofalo will forever be famous for just one catch.

They actually know that the map missed the call on Lou Loughery's pickoff play in the 1948 World Series and they don't think a giant scoreboard should have to urge them when to cheer—and wouldn't they anyway.

The Toronto Blue Jays, using their bodies with their profits as in to purchase cheap misadventure. Have become the new version of America's national pastime. They have learned to win at baseball by using a most unique weapon: people who aren't baseball fans.

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